



## COMMUNITY ASSET TRANSFER: ASSET TRANSFER REQUEST

### IMPORTANT NOTES

Eligible Community Transfer Bodies have a right to submit an Asset Transfer Request under Part 5 of the Community Empowerment (Scotland) Act 2015 (the Act). However, there is no legal requirement that all requests must go through the process set out in the legislation where both parties are able to reach an agreement.

**If you wish to make a request under the Act then you must state this clearly in the box at the bottom of this page.** If you are in any doubt then please discuss this with the council's Asset Transfer Team before making your request.

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 a request.

All community bodies intending to make an Asset Transfer Request to Moray Council are encouraged to take advantage of our pre-application advice service beforehand. This can help improve outcomes and ensure that your request can be processed as quickly as possible through the most appropriate route.

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

This form and ALL 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.

**Do you wish your Asset Transfer Request to be considered under Part 5 of the Community Empowerment (Scotland) Act 2015?**

*(Please tick the relevant box)*

Yes



No

*An Asset Transfer Request can only be considered under the Act if it is made by an eligible Community Transfer Body as defined by the Act. Ticking 'No' will mean that your request will be considered outside of the Act.*

**Section A:****Information about the community organisation making the request**

<b>1. Details of community organisation</b>	
<b>Name of organisation</b>	Aberlour Community Association SCIO
<b>Registered address</b>	██████████ ██████████ ██████████
<b>Postcode</b>	██████████

<b>2. Organisation contact information</b>	
<b>Contact name</b>	
<b>Position in organisation</b>	Chairman of Alice Littler Park sub-committee (ACA)
<b>Postal address (inc postcode) If different from above</b>	██████████ ██████████ ██████████ ██████████
<b>Contact telephone no.</b>	██
<b>Contact email address</b>	██

<b>We agree that correspondence in relation to this advice request may be sent by email to the address given above. (tick to indicate agreement)</b>	<input checked="" type="checkbox"/>
<i>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.</i>	

<b>3. Please tick the corresponding box(es) below to confirm the type of organisation and its official number(s), where applicable:</b>		
<b>Company and its company number...</b>		
<b>If the company is a registered charity, please also tick this box and provide its charity number...</b>		
<b>Scottish Charitable Incorporated Organisation (SCIO) and its charity number...</b>	<input checked="" type="checkbox"/>	SC009817
<b>Community Benefit Society (BenCom) and its registered number...</b>		
<b>Unincorporated organisation (no number)</b>		<b>LEAVE BLANK</b>

**4. Please tick the corresponding box below to confirm which documents accompany this advice request:**

Constitution	<input checked="" type="checkbox"/>
Articles of Association	<input type="checkbox"/>
Registered Rules	<input type="checkbox"/>
If the organisation does not have a written constitution, please tick this box.	

*Please note that a formal asset transfer request will only be considered from those community controlled bodies with a written constitution.*

**5. Has the organisation been individually designated as a Community Transfer Body by Scottish Ministers?**

Yes	<input type="checkbox"/>	Please note that this question relates only to those bodies referred to in section 77(2)(a) of the Community Empowerment (Scotland) Act 2015.
No	<input checked="" type="checkbox"/>	
Don't know	<input type="checkbox"/>	

**If yes, please give the title and date of the designation order:**

**6. Does the organisation fall within a class of bodies which has been designated as Community Transfer Bodies by Scottish Ministers?**

Yes	<input type="checkbox"/>	Please note that this question relates only to those bodies referred to in section 77(2)(b) of the Community Empowerment (Scotland) Act 2015.
No	<input type="checkbox"/>	
Don't know	<input type="checkbox"/>	

**If yes, please give the class of bodies it falls within together with the title and date of the designation order:**

**Section B:****Information about the land and rights in which you are interested**

**1. You should provide a street address and/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.**

<b>Name of Asset</b>	The Alice Littler Park
<b>Name Asset otherwise known by</b>	
<b>Asset Address</b>	Broomfield Square Aberlour AB38 9QP
<b>Grid Reference of Asset</b>	1 Arena: Grid Reference NJ264430 Easting: 326493 Northing: 842860  2 Recreation Area: Grid Reference NJ263429 Easting: 326382 Northing: 842938  3 Car Park: Grid Reference NJ263428 Easting: 326333 Northing: 842860  1:50,000 O/S Map
<b>Asset UPRN (Unique Property Reference) as listed on Council Register</b>	000133002306

**2. Please provide a sketch or drawing showing the boundaries of the land or building in which you are interested. If you are interested in part of a piece of land or building, please explain clearly your requirements in your answer to question 3 below.**

Sketch/drawing attached

✓

**3. Please provide a description of the asset you are interested in. Your description should give enough information to clearly identify your requirements.**

**We are interested in the three areas which constitute the Alice Littler Park (ALP) as detailed in Enclosure 2: Drawing Number DPMCVAB\71 dated February 2019.**

**The 3 areas comprise:**

- 1 the grassed main area of the Arena situated directly in front of the Old Station Tearoom and Speyside Visitor Centre (Area 1 on Drawing);**
- 2 the grassed Recreation Area (which includes all existing equipment within the designated Play Park Area) (Area 2 on Drawing);**
- 3 the existing Car Park area adjacent to the Recreation Area (Area 3 on Drawing).**

### Section C: Type of Request

1. Please indicate below what type of request you intend making:

Ownership (section 79(2)(a) of the Act) – go to question 2	<input checked="" type="checkbox"/>
Lease (section 79(2)(b)(i) of the Act) – go to question 3	<input type="checkbox"/>
Other rights (section 79(2)(b)(ii) of the Act) – go to question 4	<input type="checkbox"/>

#### 2. Request for Ownership

What price are you prepared to pay for the asset?	£ Nil
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Go to question 5.

#### 3. Request for a Lease

What length of lease are you proposing?			
How much rent are you prepared to pay?	£	per	

Go to question 5.

#### 4. Request for Other Rights

What rights do you intend requesting?

We request Right of Access over the 15 foot strip of land alongside the former railway platform which forms part of the Speyside Way.

Do you propose paying for these rights? (tick box)	Yes		No	<input checked="" type="checkbox"/>
If yes, how much are you prepared to pay?	£	per		

**5. Please set out any other terms and conditions that you wish to apply to your proposals.**

*(This should include details of any responsibilities that you would wish the Council to retain, e.g. responsibilities under a proposed lease arrangement.)*

There are no other Terms or Conditions we wish to apply in respect of the Alice Littler Park itself. However, the access road which runs parallel to the ALP and the bridge which crosses the access road have not been included in this application (see Enclosure 2: Drawing Number DPWMC\AB\71 dated February 2019) and will remain the responsibility of Moray Council.

ACA would hope that public parks (and associated car parking areas) would continue to be exempt from Business Rates.

## **Section D: Reasons for Request**

### **1. Community Proposal**

Please set out the reasons for seeking an asset transfer and describe how the land or building is intended to 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.)*

The objective of this asset transfer request is to return the ALP to community ownership and to ensure that the ALP is maintained and sympathetically regenerated in a sustainable manner for the benefit of the residents of Aberlour and other users of the Park in accordance with their wishes.

The open green space which forms the ALP is accessible to and widely used by people of all ages, regardless of mobility or disability, for recreational, social, educational and cultural purposes. Situated at the heart of the village, the ALP hosts the annual Aberlour Strathspey Highland Games and It's a Knockout competition, the annual Village Children's Party and numerous other one-off events.

The work being undertaken by the Speyside Visitor Centre (a sub-committee of ACA) in respect of environmental conservation and enrichment is proving critical to understanding the delicate ecology of the Park and their findings will be an important consideration in terms of the preservation and regeneration of the Park as a whole.

ACA wish to honour the wishes of Sydney Littler, who donated the ALP to the community in memory of his wife Alice. ACA will, therefore, continue to maintain the open green space; improve access around the ALP by updating paths and seating; work with all stakeholders who have an interest in upgrading play equipment within the Park; offer further encouragement to ensure that responsible dog walking as well as cycling is undertaken within the ALP boundaries and to maintain the Car Park area.

Ownership of the ALP by ACA will enable the community to become directly involved in the Park's future regeneration. People will have 'influence and a sense of control' (as cited in the Place Standards document) over the Park. The ACA is the charitable body democratically elected to represent the interests of the community of Aberlour – the organisation is therefore accountable to and responsive to the wishes of the residents of Aberlour.

Please see attached Business Case, Sections 1, 2, 4 & 5.



## **2. Benefits of the Proposal**

Please set out the benefits that you consider would arise if the proposed request were to be agreed.

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

The primary benefit to this proposal is that the ALP would be transferred back to community ownership.

The ALP was bequeathed to the Alice Littler Memorial Trust (ALMT) in August 1980 by Sydney Littler in memory of his late wife, Alice, and it was to be owned and managed by the ALMT for the 'benefit of the whole Community of Aberlour and District'. However, ownership transferred to Moray Council due to an accidental side-effect of the Long Leases (Scotland) Act 2012. The ALMT was unable to pursue an asset transfer request for the ALP due to the fact that the Trust is not a publicly elected body; however the ALMT remain very supportive of the application being made by ACA in respect of ACA's wish to acquire ownership of the ALP on behalf of the community.

The secondary benefit to this proposal is in respect of the maintenance and future regeneration of the ALP.

Moray Council has already publicly announced that, with effect from 2020, they will be unable to maintain the grass cutting service within the Park. The continuity of provision that would be achieved if this CAT request were granted to ACA would be vital to the Park's welfare and by extension to that of its innumerable patrons.

The ALP provides many benefits to its users: it enables people to remain physically active which is critical to their health and well-being; it provides (along with the Old Station Tearoom situated at the side of the ALP and owned and managed by the ACA) an opportunity to interact socially, thereby reducing social isolation; it attracts visitors to the village of Aberlour, thereby benefitting the local economy; it offers a place of tranquillity whereby people can enjoy their natural environment; and the ALP itself is fully accessible to all users regardless of age, mobility or disability, thereby ensuring that it is fully inclusive.

Once ownership has transferred to ACA, regeneration and sustainability of the ALP will become a priority and input will be sought from professional organisations, residents and business owners within Aberlour to assist with this.

With regard to the redevelopment of the Playpark itself, the ACA formally agreed at their meeting of 22 May 2019 that 'The ACA will progress a CAT for ownership of the whole park, comprising the arena area, the play park area and the car park. Following that, and, under the auspices of the ACA, a sub-committee will be formed with all parties who have a stake in the future of the Playpark including ACA, Play Aberlour, Health Service representatives, village nursery groups, school Parent Teacher Associations, Highland Games Committee and other interested parties'.

The formation of this sub-group will not only enable all interested stakeholders actively to participate in the preparation of plans relating to the upgrading of play facilities but will also support the findings of the audit carried out as part of MC's Open Space Strategy that 'where the community were involved with the management of an open space this often enhanced the quality of the site'.

The ACA is a long established charitable body with a proven track record of maintaining community assets. The Fleming Hall is managed by the ACA under a 25 year Lease Agreement and in July 2016, the ACA successfully pursued a CAT for The Old Station Tearoom and Speyside Way Visitor Centre (now SVC). Indeed, the standard of the first ACA CAT Business Case dating from 17 March 2015 was such that subsequently the Policy and Resources Committee of MC sought, and duly received, permission from ACA to promote it as a standard for other Moray communities engaged in such transactions. The public toilets which are also owned and managed by ACA, have recently been formally promoted throughout Moray local authority area as a model of self-supporting local asset management.

Transfer of the Alice Littler Park to ACA would thus complete the ownership triangulation begun with the successful CATs progressed for the Old Station Tearoom and the Speyside Visitor Centre, thereby easing the transition and facilitating the integrated management of the whole concern.

The ACA is in a strong position financially to withstand the extra costs associated with the general day to day maintenance of the ALP, and so it is not envisaged that ownership of the ALP would impinge on ACA's normal activities. In addition, the ACA has a proven track record of attracting local and national funding in order to deliver improvements to community assets.

See Business Case, Sections 4 and 5.

### 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 would 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.)*

The ALP continues to benefit from the environmental designation ENV1 Public Parks & Gardens and in addition the over-riding E5-Open Spaces also applies to this location. The natural western boundary of the ALP is the River Spey itself which is designated a Site of Special Scientific Interest (SSSI) and it also retains Special Area of Conservation (SAC) status. In addition, the Spey Valley, which includes Aberlour, is designated a Special Landscape Area (SLA) by Moray Council.

Ownership of the ALP by ACA would ensure that these environmental designations would not be impacted by any regeneration work undertaken.

ACA also accepts that a 15 foot wide strip alongside the former railway platform will remain an asset of the Speyside Way.

See Business Case, Section 4ii (a).

### 4. Negative consequences

What negative consequences (if any) may occur if your request were to be agreed? 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.)*

We believe there are no foreseeable negative consequences of this Community Asset Transfer application being agreed.

Ownership and regeneration of the ALP would enable ACA to continue to meet its charitable remit, which is defined as:

a) The advancement of citizenship and community development through the promotion of civic responsibility and volunteering and the promotion of economic and social development of the inhabitants of Aberlour and the wider community of Speyside;

b) The provision of recreational facilities and activities for the purpose of social welfare, leisure, recreation and with the object of improving the conditions of life for the persons for whom the facilities or activities are primarily intended.

ACA however considers that there are negative consequences which will occur if the Asset Transfer is not approved. These include:

a) the ALP would not be returned to community ownership: this would directly

conflict with the stated wishes of Sydney Littler who donated the ALP to the community of Aberlour;

b) the withdrawal of maintenance of the ALP, and grass cutting in particular, by MC from 2020 onwards would be to the detriment of the village of Aberlour: enjoyment of the ALP would be restricted; the annual ASHG could not take place in the Arena; visitor numbers to Aberlour would be affected which would, in turn, impact adversely on the local economy;

c) general enhancement of the Arena and Recreational Area of the ALP would not take place due to the financial constraints facing MC;

d) loss of momentum by stakeholders interested in developing the playpark area.

As stated above, our overriding aim is a positive one – to secure, maintain and enhance the designated area for the common good.

## **5. Capacity to deliver**

Please show how your organisation would 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 ACA has a long standing proven record of delivering on its charitable remit, either working in isolation or in conjunction with other organisations in Aberlour (as evidenced by the highly successful Bicentenary celebrations).

ACA has a successful track record in acquiring ownership via a CAT process of previously owned MC buildings, namely the Old Station Tearoom and the Speyside Visitor Centre, as well as the public toilets.

In 2017 and 2018, ACA undertook a total refurbishment of these newly acquired assets resulting in an investment of £25,000. In addition, CCTV was installed by ACA which has had a significant effect on the reduction in vandalism of the toilets and the anti-social behaviour in and around the ALP. The interior décor of the Old Station Tearoom has been refreshed for the start of the 2019 season and the SVC continues to develop new initiatives designed to promote and protect the natural environment.

ACA also manages the Fleming Hall via a 25 year Lease Agreement with MC since 1 April 2002. During this period, the ACA has invested in excess of £115 000 in various improvements and fittings. Less than 50 per cent of this amount – £55 000 – was obtained from grants or external funding sources.

The Executive Committee of the current Association boasts an eclectic blend balancing ages, genders and backgrounds, with the 16 Trustees forming a strong team encompassing a broad cross-section of individuals drawn locally from all walks of life and from diverse backgrounds – male and female, employed and retired, professionals and tradespeople – with collective access to a wealth of skillsets that can be accessed for the general benefit of the community. The ACA is, naturally, subject to the regular changes of personnel affecting the composition of all such ~~bodies however strategic succession planning is observed within the group~~

In order to deliver on the outcomes outlined in the Business Plan, ACA will at times need the assistance of professional advisers – namely in respect of legal and financial matters. We will also seek to work closely with the MC Land and Parks team specifically in relation to the inspection and maintenance of existing play equipment within the ALP and also with regard to any outstanding maintenance issues that may arise prior to the asset transfer being granted. We will engage the services of a professional contractor to maintain the grassed area, trees and hedgerows contained within the ALP. ACA will continue to liaise with North East Scotland Biological Records Centre (NESBReC) with regard to the surveying and monitoring of the flora and fauna in the vicinity of the ALP; we will continue to pay due regard to the guidelines issued by ROSPA and we will ensure that a regular dialogue is maintained both with the Trustees of Alice Littler Memorial Trust and the community as a whole.

See Business Case, Sections 3 and 4.

## **Section E:**

### **Level and nature of support**

Please provide details of the level and nature of any existing support from your community and describe any consultations carried out.

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

The original draft CAT request was submitted by ACA in October 2018 in respect of the Arena but, following discussions with MC over the alternative option of a Long Lease for the whole Park and subsequent agreement with Officers of MC regarding the ALP boundaries, the ACA unanimously agreed to pursue a CAT for ownership of the whole area.

An initial consultation was carried out in the week beginning 29 July 2018 and the result showed that 136 of the 137 responses approved wholeheartedly of the ACA application for a CAT for ownership of the ALP Arena.

A further consultation was carried out on 16 June 2019 relating to ACA's proposal to apply for a CAT in respect of the whole of the ALP (Arena, Recreation Area and Car Park). The responses corroborated the findings of the first consultation, with 58 of 59 respondees approving of the ACA CAT proposal.

Key comments from the consultations undertaken include:

- ❖ 'Must be the way forward in this financial climate.'
- ❖ 'The officers of the A.C.A are quite capable of making a success of running the Alice Littler Park'
- ❖ 'ACA must get ownership of the Park for the village! Thoroughly scunnert with all the delays though.'
- ❖ 'The ACA are the only people with the whole of the village at heart.'
- ❖ 'The Park is part of the Social Heritage of the village and must be returned to the community.'
- ❖ 'This is a lovely facility, the centre, the park and the car park. Hoping your 'take-over' is successful'

(See Appendix 2: Public Consultations 2018, 2019 for a detailed analysis.)

Local businesses and community organisations within the village of Aberlour itself have added to the voices of individual residents by indicating their support of ACA. In addition, organisations operating outwith Aberlour have also been consulted resulting in letters of support being received from Moray Speyside Tourism, the Chair of The Spirit of Speyside Whisky Festival, North East 250 and Speyside Area Forum as well as Edinville Community Hall Council.

See Business Case, Sections 5 and 6.



## **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 proposed 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.)*

ACA wishes to apply for ownership of the ALP at zero cost.

The annual maintenance costs in respect of the ALP have been calculated at around £5500.00. This takes account of quotations provided by a professional contractor to cover grass cutting, spike and fertilisation of the grassed area, shrub maintenance as well as insurance costs relating to liability arising from ownership and management of the existing play park equipment.

The ACA accounts for the financial year ending 30 September 2018 reveal a closing balance of £50 687.42 and an income surplus generated during the year of £4246.86. The ACA is therefore in a strong position financially to absorb the routine maintenance and insurance costs associated with ownership of the ALP.

The regeneration of the ALP will be prioritised to allow a programme of phased improvements to be identified and then carried out within the Park. It is envisaged that this will initially include upgrading of the existing path network and maintenance of existing seating and provision of additional seating throughout the ALP. The ALMT is also keen to ensure that this work is undertaken and has stated that it would give sympathetic consideration to the idea of providing financial assistance where necessary from its resources.

Other potential sources of funding include Paul's Hill Windfarm Community Benefit Fund; the community of Aberlour receives an annual index linked allocation, amounting to £6762 in 2018, with preference given to 'proposals of an environmental, energy efficiency, tourism, recreation and local amenity nature within the relevant Community Association area'. Similarly, as Aberlour falls within its catchment area, ACA is also eligible to apply for funding from Berryburn Windfarm Community Fund.

In terms of the re-development of the Playpark, costings for additional equipment cannot be identified until a full consultation exercise with the community has been carried out to identify their needs and priorities. The ACA will carry out some minor improvements to the playpark area pending the results of the consultation and these costs will be met by the ACA in conjunction with local contractors who have agreed to donate resources.

ACA acknowledges that the ALP itself will not generate a direct income; however there is potential to promote its use for special events by outside organisations in return for donations towards upkeep for use of the facility.

See Business Case, Sections 8 and 9.

**Section G:  
Declarations**

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

**We, the undersigned on behalf of the community organisation 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.**

<b>Name:</b>			
<b>Address:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
<b>Position:</b>	Charity Trustee ACA Chairman of Alice Littler Park sub-committee (ACA)		
<b>Signature:</b>	[REDACTED]	<b>Date:</b>	15 August 2019

<b>Name:</b>			
<b>Address:</b>	[REDACTED]		
<b>Position:</b>	Chairman & Treasurer ACA		
<b>Signature:</b>	[REDACTED]	<b>Date:</b>	15 August 2019

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

<b>By Post:</b>	Asset Transfer Team, Moray Council, High Street, Elgin IV30 1BX
<b>By Email:</b>	<a href="mailto:CAT@moray.gov.uk">CAT@moray.gov.uk</a>

**If you have any queries regarding the filling in of this form, please contact the Asset Transfer Team on telephone 01343 563916**

## Section G:

### Checklist of accompanying documents

To check that nothing is missed, please list any documents which you are submitting to accompany this pre-application advice request: (please tick)

Constitution	✓
Articles of Association	
Registered Rules	
Financial Statements – Annual Report	✓
Business Case	✓
Sketch / drawing of asset	✓
Note of terms and conditions you wish to apply	

Please note any additional supporting documents not listed above:

ACA CAT Application Table of Projected Costs (Enclosure 4)	✓

### Useful Links

The following links provide sources of further information, advice or support for community bodies:

[Moray Council Community Asset Transfer](#)

[Moray Council Community Support Unit](#)

[Scottish Government Guidance for Community Transfer Bodies](#)

[Community Ownership Support Service \(COSS\)](#)

[Development Trust Association Scotland](#)

[Business Gateway Moray](#)

[Highlands and Islands Enterprise](#)

[tsiMoray](#)

### Office Use only:

Reference:	
Date Received:	
Date Acknowledged:	
Validation Date:	

*Charlestown of Aberlour*



*14 September 1812*

## *Aberlour Community Association SCIO*

Scottish Registered Charity Number: SC009817

### **Aberlour Community Association SCIO**

**Community Asset Transfer Application: Ownership of The Alice Littler Park**

#### **Business Case**

[To be read in conjunction with ACA Formal Submission to  
Moray Council Community Asset Transfer: Asset Transfer Request]

**28 June 2019**

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**List of Abbreviations used throughout the following application are as follows:**

**ACA : Aberlour Community Association SCIO**

**ALMT : Alice Littler Memorial Trust**

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**ALP : Alice Littler Park**

**ASHG : Aberlour Strathspey Highland Games**

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**MC : Moray Council**

**SVC : Speyside Visitor Centre**

## Section 1: Introduction

Aberlour Community Association SCIO (ACA) is herewith applying for a Community Asset Transfer for ownership of the Alice Littler Park in Aberlour at no cost.

Aberlour Community Association was founded as a charitable organisation under government statute on 23 September 1974 to represent the commonweal of Aberlour, with the present Aberlour Community Association SCIO being established on 11 November 2015 in order to fulfil two principal purposes, as enshrined in the Association's Constitution:

(a) The advancement of citizenship and community development through the promotion of civic responsibility and volunteering and the promotion of economic and social development of the inhabitants of Aberlour and the wider community of Speyside;

(b) The provision of recreational facilities and activities for the purpose of social welfare, leisure, recreation and with the object of improving the conditions of life for the persons for whom the facilities or activities are primarily intended.<sup>1</sup>

The recent narrative of the ownership of the Alice Littler Park (ALP) is tortuous and prolix. On 17 May 2017, ██████████ at Moray Council (MC), informed the Alice Littler Memorial Trust (ALMT) on behalf of the Council that MC had taken over ownership of the Alice Littler Park from them under the terms of the Long Leases Scotland Act (2012) which came into force in 2015. When it became evident that the ALMT itself was unable to reclaim ownership of the Park, on 12 October 2018, with the full support of ALMT and with the unanimous backing of the ACA Trustees, ACA prepared a Draft Community Asset Transfer to submit to MC to set in motion the procedure to assume ownership of the ALP Arena on behalf of the village. Following consideration of the alternative possibility mooted by MC in December 2018 of expanding the area to be taken in to the ACA's governance by means of a long lease from MC for all three areas constituting the Park as a whole – the Arena, the Recreation Area (incorporating the children's playpark, currently leased from MC by ACA) and the Car Park<sup>2</sup> – ACA now wishes to pursue a CAT for ownership of the whole area.

<sup>1</sup> 'Purposes', in Constitution of Aberlour Community Association SCIO, SC009817, p.3.

<sup>2</sup> These 3 areas are numbered 1,2, and 3 respectively in the Plan of ALP reproduced in Enclosure 2.



## Section 2: Rationale

ACA believes implicitly that the Alice Littler Park should be brought back into community ownership by means of a Community Asset Transfer.

The rationale underpinning the ACA proposal may be summarised as follows:

### i. Historic

The Alice Littler Memorial Trust has assiduously discharged its responsibility to the original benefactor Sydney Littler, whose Deed of Trust dated 8 December 1978 articulated the simple aim of 'promoting the welfare of the Community of Aberlour and District' by means of his Trust, to be deployed 'for the benefit of the whole Community of Aberlour and District'.<sup>3</sup> This act of generosity and foresight (and indeed personal homage, in naming the park in memory of his late wife) brought into being in August 1980 a unique green space centred at the heart of the village for staging of the Aberlour Strathspey Highland Games (ASHG) and established for the recreational use of local residents and visitors alike.<sup>4</sup> Having fulfilled its custodial duties for four decades with the welcome support of MC, the ALMT now has placed its confidence, in writing, in the ACA's capacity to continue the guardianship of the ALP in a way that remains true to the aims and informed by the same fundamental principles of the original legacy. Ownership of the Park by ACA, whose Executive Committee includes ALMT Trustees, thus would forge an organic continuum from the historic benefactor and his inheritance to his contemporary beneficiaries.

### ii. Cultural

Following the state of uncertainty that has now shrouded the ALP, formal and informal feedback from members of the community and from visitors has emphasised the compelling desire for the village to remain true to the spirit of the park's traditional identity, as a versatile green space that can be freely accessed by everybody. The formal public consultation exercises held by ACA and the visitor comments in the visitors books compiled in the Speyside Visitor Centre (SVC) repeatedly focus on the underlying aim to preserve the ALP, and the Arena in particular, just as it is (see Appendices 2 and 3). This is in direct correspondence with the Scottish Government's recent conception of 'Place Principle' as defined in April 2019, which highlights the driving vision behind the ACA's present CAT initiative, involving an enlightened and integrated approach to the management of the community's environment:

Place is where people, location and resources combine to create a sense of identity and purpose, and is at the heart of addressing the needs and realising the full potential of communities. Places are shaped by the way resources,

<sup>3</sup> Sydney Littler, Deed of Trust dated 8 December 1978, Registers of Scotland.

<sup>4</sup> Appendix 1 reproduces historic panels celebrating the foundation of the Alice Littler Park.

services and assets are directed and used by the people who live in and invest in them.<sup>5</sup>

### iii. Social

The ALP is a versatile space that has an infinite range of functions and represents a social hub for the village, for individuals, families, groups and clubs, for regular use and one-off events, and for annual festivities like the ASHG. The SVC volunteers are privy to life's rich pageant unfolding in the park – especially in a fine sunny summer like 2018: picnics proved popular, along with camping, kites, tennis, football, putting, frisbees, boules, running, dog walking, doggy ball launching, the highland games, rounders, cricket, reading, relaxing and sleeping in the sun, and even a beautiful sun-kissed late-summer wedding conducted under the old sycamore tree. This season already, SVC has received additional compliments relating to the Arena as an ideal locus for medical patients' convalescence and for youngsters learning to ride a bike. In winter, the Park witnesses the usual daily dose of walkers and dog-walkers, plus snowballing and traditional family fun such as sledging on the gentle slopes of the mounds. Truly all human life passes through the Park's portals.

Whilst mainly targeting disadvantaged communities, the Scottish Government's flagship 'regeneration strategy' rolled out in 2011 focused firmly on 'community led regeneration' as a principle for all communities to pursue in order to further their social and economic sustainability.<sup>6</sup> This is precisely what ACA is seeking to promote through the present CAT.

### iv. Economic

As well as running the Fleming Hall profitably on a lease from MC since April 2002, ACA has demonstrated financial prudence in recent years in its running of the Old Station Tearoom and the Speyside Visitor Centre, both already transferred to the ACA by CAT from MC. Indeed, the standard of the first ACA CAT Business Case dating from 17 March 2015 was such that subsequently the Policy and Resources Committee of MC sought, and duly received, permission from ACA to promote it as a standard for other Moray communities engaged in such transactions. The ACA therefore has the proven ability to maintain the three components of the Park appropriately, in accordance with the will of the public. The ALMT has stated that it would give sympathetic consideration to the idea of providing financial assistance where necessary from its resources; ACA is aware of the ALMT's intentions latterly to improve seating and paths in the Park and would be keen to undertake these improvements forthwith.

### v. Environmental

The value of having an open green space situated right in the heart of the village cannot be overstated in terms of the benefits that it grants to the health and wellbeing of those who use it. From classical times, philosophers have expounded the benefits for people

<sup>5</sup> The Scottish Government, 'Place Principle: Introduction', published on 10 April 2019, at <https://www.gov.scot/publications/place-principle-introduction/>, retrieved on 15/6/19.

<sup>6</sup> The Scottish Government, 'Achieving a sustainable future: regeneration strategy', published on 12 December 2011, at <https://www.gov.scot/publications/achieving-sustainable-future-regeneration-strategy/>, retrieved on 15/6/19.

of living close to nature, and contemporary government agencies and dedicated groups such as the National Recreation and Park Association vigorously promote the cultivation of green spaces in towns and cities in order to foster the physical and psychological benefits to be gained from contact with nature.<sup>7</sup> The Scottish Government's major regeneration plan for Scotland from 2011 specifically adumbrates one of the key outcomes for physically sustainable communities that 'people have access to quality public space and appropriate green space'.<sup>8</sup> In the modern world the preservation of natural green spaces as part of an enlightened 'environmental regeneration' programme set against the ineluctable forces of development is widely recognised as a vital contributor to what we now call Mindfulness. This in microcosm is precisely what the preservation and protection of the ALP in Aberlour embodies, in contributing immeasurably to the health and happiness of its patrons.

MC's recent Place Standards Report predicated on consultation with S1-S3 pupils in Moray sits comfortably with the global upsurge of interest by young folk in environmental politics, as popularly embodied [REDACTED]. The specific results extrapolated from the survey conducted at Speyside High School demonstrate that contemporary pupils not only share a keen interest in their local environment, but that their common sense of political disenfranchisement evident in the poor rating given to the factor of 'influence and sense of control' stands at odds with their passion for 'natural space' – the highest scoring single criterion in the response. 'Play and recreation', meanwhile, is accorded equal lowest ranking. In the eyes of the young folk of Speyside, therefore, environmental regeneration ideally will be manifested in conservation of our natural surroundings in preference to recreational development.<sup>9</sup>

#### vi. Ethical

As [REDACTED] informed ACA on 11 August 2017,<sup>10</sup> the transfer of ownership of the ALP to MC was a wholly accidental side-effect of the Long Leases (Scotland) Act 2012 introduced in 2015 to rationalise aspects of Scottish property law. The people of Aberlour were uncharacteristically vocal in expressing their opposition to the original news of the MC takeover; the future of the park was thrown into a more profound state of uncertainty by the subsequent failure of MC to activate the opt-out clause by the deadline of 28 August 2015, which would have circumvented the technicality whereby ~~ownership of the Park passed from the ALMT to MC, which in 1990 had entered into a~~ long term lease *in perpetua* with the ALMT to work together with them and with ACA to maintain the Park. The ALMT's option of applying to the Scottish Government for special consideration appeared tortuous in the extreme, while the private recourse to legal challenge appeared ruinously costly; and MC advised ALMT following submission on 10 December 2017 of their Expression of Interest in taking over ownership of the park via a CAT that such an application would be rejected on the grounds that the Trust was not a publicly elected body.

<sup>7</sup> A useful synopsis of recent thinking relating to the value of green space in built-up areas can be found in 'Green Space and Health', in *Houses of Parliament Parliamentary Office of Science & Technology Postnote 538*, October 2016, pp.1-5.

<sup>8</sup> The Scottish Government, 'Achieving a sustainable future: regeneration strategy', loc.cit.

<sup>9</sup> Moray 2019 Place Standards Report: engaging with young people on matters affecting their community, provisional draft, 'Speyside Area: What we said about our community', p.9.

<sup>10</sup> See Letter from [REDACTED] dated 11/8/17, reproduced in full in Appendix 4.

### Section 3: Aberlour Community Association

Aberlour Community Association was founded as a charitable organisation under government statute on 23 September 1974 to represent the commonweal of Aberlour, with the present Aberlour Community Association SCIO being established on 11 November 2015 in order to fulfil two principal purposes, as enshrined in the Association's Constitution:

- a) The advancement of citizenship and community development through the promotion of civic responsibility and volunteering and the promotion of economic and social development of the inhabitants of Aberlour and the wider community of Speyside;
- b) The provision of recreational facilities and activities for the purpose of social welfare, leisure, recreation and with the object of improving the conditions of life for the persons for whom the facilities or activities are primarily intended.<sup>11</sup>

#### i. Current Composition

While ACA is subject to the regular changes of personnel affecting the composition of all such bodies, strategic succession planning is observed within the group, which remains the central forum in the village for the dissemination of salient information on local and national issues. Criteria for membership are defined as follows:

Membership is open to any individual aged 16 or over who has completed a membership form and who resides within the area of Charlestown of Aberlour, defined as from Allahoy to the north following water courses to Gownie to the east and turning west along the wooded area before turning in a southerly direction to Lag-a-Horie and then west to Speyview, which lies south of Aberlour, missing the Craggans but taking in Knockside, the Hatton and Tombain. The border to the west is formed by the River.<sup>12</sup>

The Executive Committee of the current Association boasts an eclectic blend balancing ages, genders and backgrounds, with the 16 Trustees forming a strong team encompassing a broad cross-section of individuals drawn locally from all walks of life and from diverse backgrounds – male and female, employed and retired, professionals and tradespeople – with collective access to a wealth of skillsets that can be accessed for the general benefit of the community. The current age-range of Trustees spans 22 to 82 years, while the personnel include a joiner, a painter and decorator, a butcher, proprietors of a caravan park and home boarding kennels, an employee in the export department of the local world-famous shortbread manufacturers, as well as retired professionals: a banker, a local primary Head Teacher, social worker and former Head of English at a Moray secondary comprehensive.

#### ii. Partnerships

<sup>11</sup> 'Purposes', in Constitution of Aberlour Community Association SCIO, SC009817, p.3.

<sup>12</sup> 'Qualifications for Membership', In Constitution of Aberlour Community Association SCIO, SC009817, p.4.

Collectively, the Trustees enjoy direct links with key local groups, including the ASHG Committee, Aberlour Pipe Band, Aberlour and Speyside Rotary Club, Paul's Hill Windfarm (administered by ACA) and About Aberlour, the principal group representing local businesses, as well as organisations from further afield such as Moray Speyside Tourism and the Spirit of Speyside Whisky Festival. Bespoke ACA sub-committees are constituted regularly to deal with local matters requiring sustained attention, such as plans to establish a public crossing in the High Street and for the location of electric vehicle chargers within the village. The current Chair is a Lifetime Ambassador of the Spirit of Speyside Whisky Festival and currently serves as Treasurer of Speyside Area Forum, Secretary and Treasurer of the ALMT as well as Secretary of the League of Friends of the Fleming Hospital. The former Chair, who is still actively involved as a Trustee of ACA, is currently Chair of Speyside Area Forum, Chair of the Friends of the Fleming Hospital, acts as an NHS Hospital and Ward auditor and deputises for the Speyside Area Forum representative at the Moray Transport Forum when necessary. The Speyside Area Forum recently worked with and provided support for MC's application to the Low Carbon Travel and Transport Challenge Fund and also supported Moray Car Share Scheme's application to Moray LEADER which has resulted in nearly £1 000 000 of investment coming into Aberlour as part of the Speyside Low Carbon Hub initiative. Both Trustees remain active members of the Money for Moray Group which has delivered £275 000 of funding to groups across Moray via Participatory Budgeting.

The ACA and Fleming Hall are also active members of the Moray Federation of Community Halls and Associations.

### iii. Recent Activities

ACA has been proactively involved in organising and managing events linked with the history of the village on a regular basis. In 2001, a grand reunion was held to celebrate Aberlour Orphanage, founded by the Episcopalian minister Charles Jupp in 1875 and closed in 1967 after having cared for nearly 7000 children (Aberlour Child Care Trust, Scotland's largest children's charity caring for up to 7000 young people and adults, sprang from this local source); the former orphans made a nostalgic day trip north to Aberlour for a special lunch, organised and funded by ACA, held at Aberlour House. ~~The main historical milestone in the village in recent times was the bicentenary in 2012 of~~ the foundation by Charles Grant of Wester Elchies of Charlestown of Aberlour, named after his son Charles. The occasion presented the opportunity in 2009 for ACA to fund jointly with ALMT and with matched funding by REAP the provision as a bicentenary project of a robust footbridge crossing the Lour burn designed and fabricated by Aberlour Engineering Ltd to replace the former McGowan's Bridge. The celebrations on the actual bicentenary fronted by ACA included the commissioning of a new village coat of arms and of a bicentenary tartan from the local Knockando Woolmill and staging of a gala weekend involving a programme of school and community events and marquee dances, one of which featured a grand concert by Phil Cunningham and Aly Bain. Proceeds from the marquees were distributed to the two village schools and to Aberlour Childcare Trust.

Other select community initiatives that ACA has been proud to be involved with in recent years include: being founding members, through the agency of the Speyside Forum, of Money for Moray; helping with the formation of Aberlour Community and District Pipe Band in 2011, founded under the auspices of, and with financial support

from, ACA; acting as loyal supporters of the annual gala summer tourist attraction of the Highland Games, of the inaugural Northeast Kiltwalk to raise funds for vulnerable children, of the Dramathon, the charity run pursuing a route following a Speyside distillery map; assisting with organisation and hospitality put on for the Speyside leg of Ride the North (in tandem with Edinville Community Hall Council), which brings a four figure sum in to ACA (together with considerable financial benefit to Moray area as a whole); as well as numerous one-off charity events staged in the village.

#### iv. Track Record

A glance through the minutes of past Executive Meetings of ACA highlights the multitude of local issues that the group addresses, which in recent times encompasses subjects as diverse as police issues, roads, traffic and parking, financial matters (including disbursement of local windfarm funds), business and tourism and support of seasonal initiatives such as purchase, installation and replenishment of the Christmas lights and provision and maintenance of the flower display throughout the village.

ACA has a proven track record in its activities within the village, having managed the main local social venue of the Fleming Hall under a 25 year Lease Agreement with MC since 1 April 2002. During this period, the ACA has invested in excess of £115 000 in various improvements and fittings. Less than 50 per cent of this amount – £55 000 – was obtained from grants or external funding sources. The Hall continues to operate profitably and welcomes a broad diversity of users, with social events currently taking place every day of the week, including Aberlour Baby and Toddlers group, Slimming World, Senior Citizens, Highland Dancers and Aberlour BALL group. The hall's centrality to the life of the community of Aberlour is symbolised by its official designation as polling station for local, national and European elections.

ACA has funded and managed the SVC on a seasonal basis since 2014 and ownership was transferred from MC under a CAT in July 2016. Historic statistical evidence indicates that visitor numbers have increased incrementally on a seasonal basis in comparison with numbers recorded by the Speyside Way Visitor Centre under MC (see Appendix 5); these numbers are posted annually for national collation by the Moffat Centre at Glasgow Caledonian University. The CAT included the Old Station Tearoom which ACA has operated seasonally since 1980, as well as the public toilets which are also run by ACA, and which recently have been formally exalted throughout Moray local authority area as a model of self-supporting local asset management. The Old Station building as a whole has been totally refurbished, inside and out, between 2017 and 2018 at a cost of £25 000. Transfer of the ALP to ACA would thus complete the ownership triangulation begun with the successful CATs progressed for the Old Station Tearoom and the Speyside Visitor Centre, thereby easing the transition and facilitating the integrated management of the whole concern.

#### v. The Old Station Tearoom

The Old Station Tearoom has been in operation since 1980 under the aegis of ACA, and the roles of its hands-on volunteers are constantly evolving to meet the changing demands created locally and nationally by target markets from home and, increasingly, in line with the national tourist picture, from abroad. The adjacent putting green area of the Park has been, and still is being, maintained by ACA. The Tearoom generates a seasonal income for ACA (in recent years averaging at £7500) which is partly shared

with the local church; weekly returns so far this season, averaging out at around £300, hold out the firm prospect of improvement on past years' revenue. The Tearoom has heralded the new season with interior decor refreshed with new signage and pictures, new hygienic easy-wipe tablecloths, fresh floral table decorations and new railway-themed colour-scheme. The Tearoom's newly extended season closely parallels that of our neighbouring Visitor Centre, but the current management still honours the historic agreement made with local cafes and hotels to close at lunchtime in order to respect their busiest trading window during the day. Five Tearoom volunteers recently successfully underwent the Royal Environmental Health Institute of Scotland's Food Hygiene Training funded for community organisations by MC, hosted by the Tearoom for a Moray-wide audience; gratifyingly the trainer highlighted the outstanding capacity of the Tearoom as a training centre for such activities, praising the venue as 'a wonderful facility in a unique building in a superb setting'.<sup>13</sup> The Tearoom is fortunate indeed this season to have secured sponsorship by the world-famous local firm Walkers Shortbread Ltd, although the volunteers also provide a range of fresh home bakes for our loyal customers.

The Tearoom enjoys visits from various parties on a regular basis, including the local SpeyPlay nursery group, the local fiddlers group, the Moray Walking Festival, Speyside Spinners and the Moray branch of the Quarriers support service charity, whose organisers cherish the peace and tranquillity of the setting as well as the homely cafeteria service. The Tearoom has gained a reputation as a congenial locus for events targeted at a broad Speyside audience: Fred Olsen Renewables held a consultation 'drop in' session there for Rothes III windfarm on 7 March 2019, while a local hotel has booked the Tearoom for use as the bar for a major charity casino evening to be held in a marquee in the Park Arena towards the end of October.

Plans are now afoot to market the Tearoom more widely within the local area through youth development and partnership links with Speyside High School, and as an ideal venue for children's parties; a sympathetic tariff has just been calculated for this promotion, taking into consideration insurance costs involved. Most recently, the Tearoom has promoted the local Therapet initiative at a fundraising event in the Tearoom for the Canine Concern charity held in conjunction with the local Rotary Club's inaugural 'Doggie Do' gala staged at the Recreation Area on 14 June, as well as ~~supporting the local authority Low Carbon Hub awareness-raising day held in the Arena~~ on 16 June. As part of next season's development agenda, the Tearoom management is currently exploring means of promoting social and cultural integration within the village's increasingly multicultural demographic by encouraging minority ethnic groups in Aberlour and vicinity to use the venue's facilities, and interest has been intimated in holding an Open Mic evening of traditional music.

#### vi. The Speyside Visitor Centre

The SVC, manned seven days a week throughout the summer season from 1 April up to the end of October, continues to develop new services through energetic initiatives implemented by the volunteers – a number of whom reside outwith the village itself – focusing in the 2018 season on the themes of Heritage & Genealogy, and on Wildlife & the Environment. Three highly successful Memory Days have been staged to date, the first two focusing on the theme of Everyday Village Life and the third including an Armistice Day display of local artefacts and photographs staged to commemorate the

<sup>13</sup> Email from Linda Davidson of Davidson Training, dated 27 May 2019.

centenary of the cessation of hostilities in 1918. The exhibition mounted for the latter event was kept open for a window of a further week due to popular demand, and a total of £444 was raised for Erskine Hospital. A fourth Memory Day is planned for later in the current season dealing with the subject of Health Care, drawing principally on a unique cache of memorabilia recently bequeathed to the SVC by the relatives of a generations-long medical family from within the village. From 2018, specialist genealogical expertise has been made available at minimal expense yet with resounding success to local visitors in order to assist in the location of long lost relatives and acquaintances.

This season, the SVC's comprehensive and up-to-date concordance of the numerous whisky tours available to visitors to Speyside has been augmented by paper and electronic versions of Frequently Asked Questions collated by the volunteers for visitors' information; this is currently being translated into Northeast Doric by a local volunteer and into European languages by staff and students at Speyside High School, which originally in 2018 translated generic tourist literature about Speyside into French and German. Highly popular additions have been made to the Centre's permanent wildlife displays this season, with an interactive blackboard and diary recording daily sightings by visitors and locals alike, and with posters representing the local butterflies and monthly flora to be observed in the park being displayed for visitors' benefit. Recent contact with North East Scotland Biological Records Centre (NESBReC) with regard to the surveying and monitoring of the flora and fauna in the specific vicinity of the Park promises to be an exciting development in the Centre's sympathetic environmental conservation and enrichment agenda.

Recently, in tandem with the Tearoom a link has been established with the charity Canine Concern Scotland as part of the SVC's fundraising agenda for 2019, which it is hoped will enhance the Centre's future provision in this area. The SVC is also delighted to be deployed as the Start and Finish for guided walks featured in the Moray Walking and Outdoor Festival held annually in June.

Additional features introduced in time for the current season include setting up of the new dedicated website to augment the SVC's popular Facebook page; display of an interactive world map to provide at-a-glance tracking of the international spread of visitor provenance; incorporation of local memorabilia retrieved from Moray Museums within the Centre's heritage display; running of a children's egg hunt on Easter weekend; and provision of outdoor toys and games for families of an active disposition. This season SVC has been proud to host a demonstration and display about one of the most neglected minority cultures of Scotland as a whole, from a representative of the unique gypsy traveller community historically involved in the life and work and ethnic culture of Speyside.

The Visitor Centre/ Station Tearoom has earned 3 Star status from VisitScotland (and is currently working towards 4 Stars, with the improvement in ICT provision) as well as joining the iKNOW Community. World Host Training has been undertaken by many of our volunteers.

In 2018, the SVC generated a total rental income of £5985.



## Section 4: The Project

### i. Objectives of the CAT

The tripartite form of the Alice Littler Park calls for judicious prioritisation in order to manage the programme of regeneration for this unique asset with positivity married with pragmatism. The basic plan for all three components will move methodically from evaluation and analysis of the situation that is currently extant, through comprehensive collation and assimilation of management and development options available, to identification of final priorities and target-setting.

The following structure is broadly chronological, with later outcomes and measures naturally less firmly articulated in light of the extensive planning and consultation processes requiring to be carried out in order to arrive at the most equitable end product. It should also be established from the outset that the development of the Park is not a finite project, and that a conversation about its welfare and upkeep inevitably will be ongoing among both custodians and patrons alike – for the ultimate good of the village.

**Objective 1:** to pursue a successful CAT for ownership of the ALP by ACA on behalf of the community of Aberlour.

**Outcome:** ownership of the ALP formally transferred to ACA.

**Measure:** statutory legal agreements signed.

**Objective 2:** to ensure that the ALP is agreeably maintained and sympathetically enhanced.

**Outcome 1:** to provide a safe and aesthetically pleasing environment that is freely accessible all year round to residents and visitors alike.

**Measures:**

- ❖ quantification of users accessing the Arena and the Recreation Area, including the young, the elderly and the disabled;
- ❖ installation and/or refurbishment of adequate seating at appropriate locations throughout the Arena and the Recreation Area;
- ❖ appropriate maintenance of paths for universal access of all users, including cyclists, regardless of age, mobility, or disability;
- ❖ review of current practice and implementation of an agreeable policy formally advertised within the ALP concerning responsible dog walking in the vicinity, taking account of national guidelines, for example pertaining to

- number and distribution of dog waste bins, frequency of emptying, easy availability of dog poo bags and provision of advisory signage;<sup>14</sup>
- ❖ inspection, evaluation and maintenance of playpark installations in the Recreation Area;
- ❖ production and implementation of a practical maintenance schedule for the Arena and the Recreation area, specifying grass treatments and cuts to be carried out annually.

**Outcome 2:** to provide users with the opportunity to enrich their health and wellbeing by accessing the manifold benefits offered by the green space of the Arena and the Recreation Area.

**Measures:**

- ❖ ready use of the Arena by the ASHG Committee and other organisations for recreational, social and cultural purposes;
- ❖ positive numbers making use of the putting green area;
- ❖ positive feedback regarding outdoor play equipment provided for visitors at SVC;
- ❖ positive numbers utilising electric bikes through the Moray Car Share Scheme.

**Outcome 3:** to encourage the local community to engage positively with the natural environment, and to contribute towards its care.

**Measures:**

- ❖ results of feasibility study commissioned by appropriate professional organisation analysed and evaluated, and disseminated to the community;
- ❖ involvement of local residents, including school groups, in regular litter picks and general maintenance activities;
- ❖ positive numbers of participants engaged in interactive wildlife observation (through SVC) and in environmental walks and activities.

**Objective 3:** to engage with the wider community of Aberlour in order to evaluate current provision in the playpark area and to plan appropriate regeneration.

**Outcome:** to enable a plan to be formulated which meets the needs of the community as a whole and to ensure that commensurate funding can be realised in order to bring the plan to fruition and to ensure that long term sustainability is achievable.

**Measures:**

- ❖ effectiveness of engagement method(s) used, beginning with formation of a dedicated playpark sub-group, as formally recorded in the minute of the ACA Executive Committee meeting of 22 May 2019:  
The ACA will progress a CAT for ownership of the whole park, comprising the arena area, the play park area and the car park. Following that, and, under the auspices of the ACA, a sub-committee will be formed with all parties who have a stake in the future of the Playpark including ACA, Play Aberlour, Health Service representatives, village nursery groups, school

<sup>14</sup> See for example official advice issued by the Royal Society for the Prevention of Accidents on 'Inspection and Maintenance of Playgrounds', at <https://www.rospa.com/play-safety/advice/inspection-maintenance>, retrieved on 15/6/19.

Parent Teacher Associations, the Highland Games Committee and other interested parties.

- ❖ effectiveness of the playpark sub-group in carrying out a robust development process, overseen by the executive committee of ACA, for ensuring that the best possible proposal is produced for the benefit of the community as a whole, from researching and exploring alternatives to drawing up plans, costing proposals and duly submitting proposals for public consultation;
- ❖ quantity and quality of consultation responses received;
- ❖ production of preliminary outline plan, taking full cognizance of local and national guidance (for example by ROSPA, as cited above in footnote 14);
- ❖ identification of short and long terms costs for purchase and installation, maintenance and inspection, and insurance costs;
- ❖ practical action plan created to secure appropriate levels of funding.

**Objective 4:** to ensure that the Car Park is fully accessible and maintained to an appropriate standard.

**Outcome:** to encourage drivers, including local residents, tourists and outdoor sports groups, to make appropriate use of parking available within the community of Aberlour.

**Measure:**

- ❖ creation and implementation of a programme of inspections of the Car Park area, together with associated repairs, to be carried out in order to ensure that the car park is safe to use;
- ❖ design and creation of a dedicated disabled parking area;
- ❖ formal logging of complaints and monitoring of injuries and damage reported within the Car Park.

## ii. (a) Environmental Designations

Moray Council has designated the ALP a 'Public Park', the official definition of which is:

A major parkland with a diverse range of facilities and functions. Mix of formal and informal spaces. Play equipment for a range of ages and facilities for teenagers. Accessible by public transport and path networks. Often accommodating facilities such as toilets, pavilions, and parking. Potential location for community and public events.<sup>15</sup>

An audit carried out in 2016 as part of Moray Council's Open Space Strategy rated the ALP as 'very good' in terms of quality score<sup>16</sup> and specifically cited its principal assets as:

<sup>15</sup> Moray Local Development Plan, Draft (February 2017), p.8, section 3.4 'Public Park', at <http://www.moray.gov.uk/downloads/file111561.pdf>, retrieved on 21/6/19.

<sup>16</sup> 'Quality' does not simply concern the site in question being well maintained or having good quality equipment but also relates to aspects such as accessibility, biodiversity, functionality, and the community benefits that a site offers. Spaces should wherever possible be multi-functional in order to maximise their contribution to quality of place and the benefits they provide to the local community.

Key open space for Aberlour. Distinctive public parkland along river edge. Part of Speyside Way. Mature feature trees along river edge. Connects to other open spaces. Large well equipped playspace.<sup>17</sup>

The ALP therefore continues to benefit from the environmental designation ENV1 Public Parks & Gardens and in addition, the over-riding policy E5-Open Spaces also applies to this location. The natural western boundary of the ALP is the River Spey itself which is designated a Site of Special Scientific Interest (SSSI) and it also retains Special Area of Conservation (SAC) status. In addition, the Spey Valley, which includes Aberlour, is designated a Special Landscape Area (SLA) by Moray Council.

The Open Space Strategy confirms that open space is important on many levels: Health & Wellbeing, Sustainable Economic Growth, Climate Change and the Environment as well as Placemaking. Two particularly pertinent objectives of the Strategy in the present instance are: 'to ensure public open spaces provide a diversity of functions, including ecological, cultural, visual and sport and recreation'; and 'to encourage community involvement in improving and managing open space'. Significantly, the audit that was carried out in connection with this Strategy found that 'where the community were involved with the management of an open space this often enhanced the quality of the site'.

#### (b) Proposed Impacts and Benefits of the CAT on ACA and its Activities

The overarching benefit that accrues as a result of this CAT is quite simply that the Alice Littler Park's future welfare would be secured and safeguarded for the local community. Above all, the maintenance and conservation of the park by ACA would allow the community as a whole to continue to enjoy this invaluable natural resource to the full. The direct benefit to the ACA would be that, in a world where natural space is increasingly under threat, the ACA would be fulfilling its charitable remit to own, manage and protect this precious unspoilt area. As stated earlier, to have such a generous natural riverside space located at the very heart of the village contributes immeasurably to the generic wellbeing of the inhabitants who have easy access to its unspoilt pleasures as a rustic-style haven for all seasons.

Moray Council has already publicly announced that, with effect from 2020, they will be unable to maintain the grass cutting service within the ALP. The continuity of provision that would be achieved if this CAT request were granted to ACA would be vital to the park's welfare and by extension to that of its innumerable patrons. The ACA is in a strong position financially to withstand the extra costs associated with the general day to day maintenance of the ALP, and so it is not envisaged that ownership of the ALP would impinge on ACA's normal activities. In addition, the ACA has a proven track record of attracting local and national funding in order to deliver improvements to community assets. In recent years, ACA has demonstrated substantive organisational acumen and communal commitment in restoring and operating the Speyside Visitor Centre and Old Station Tearoom as well as the toilets, and ownership of the whole ALP is considered to be a natural progression. The status of ACA as a locally elected charitable body places it in the ideal position to take over the responsibility in the governance of the ALP on behalf of the village; as a community body, it directly

<sup>17</sup> Moray Local Development Plan, Open Space Strategy January 2018, Settlement Appendices, Appendix 3: Aberlour, p.11, at <http://www.moray.gov.uk/downloads/file118960.pdf>, retrieved on 21/6/19.

represents the interests of its electorate, and it would be accountable to it and responsive to its wishes in this, as in its other duties.

## Section 5: Market Need and Demand

### i. Local Need

The Alice Littler Park and the Old Station Building comprising the Speyside Visitor Centre, the Old Station Tearoom and the Public Toilets are in fact complementary, and together these form the unspoken hub of the village, where people may continue to meet in order to socialise, enjoy light refreshments, delve into the rich heritage and culture of the local area, hold events and exercise, play and relax. They may continue to enjoy the natural environment – the views, the river, the beautiful mature trees. They may continue to enjoy bird watching and salmon spotting along the Spey, to appreciate the flora and fauna around them – or just sit and savour the peace and tranquillity.

In addition, the ALP is a hugely popular attraction for visitors from the local area, from Scotland, the UK and from overseas, with the adjacent SVC recording an increase in visitors (averaging out at a figure of 5000 signing in to the Centre each summer) in excess of 13% in the 2018 season – with obvious benefits to local businesses (see Appendix 5). Local hotels and cafes as well as village shops gain increased trade, particularly in the summer season, despite the uncertain economic climate. Tourists, most commonly attracted by local Speyside distillery visitor centres but also walkers using the Speyside Way, regularly converge upon the Park Arena with the attendant SVC and Tearoom, as a natural gravitation along the riverside, from the nearby children's playpark, from the highly popular Car Park beside the Victoria Bridge or down from the High Street and the Village Square. The volunteers manning the SVC are proud of the positive verbal feedback continually received from visitors from home and abroad about the Centre and the ALP (and indeed about the village and the area as a whole), conveyed in person and posted on the SVC's Facebook page. The tendency for visitors to assume the interconnectedness of the Old Station building and the ALP itself is a strong indicator of the compelling logic underpinning the proposal to formalise the connection among all three amenities at an ownership level (see Appendix 3).

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Regular footfall in the Alice Littler Park area encompasses principally:

- ❖ walkers, joggers and dog walkers using the park in all weathers from dawn to dusk, for whom the Park is the focus of their daily routine;
- ❖ seasonal activities (eg picnicking, putting, sledging, recreational football);
- ❖ local groups (eg uniformed groups, junior and adult running clubs, Baby and Toddlers);
- ❖ school recreational visits and activities (especially pertaining to Aberlour and Craigellachie Primaries and Speyside High) involving curricular research (eg by Science classes) and PE activities (eg Speyside High School running classes, Aberlour Primary School orienteering day, running, school sports);

- ❖ annual events (eg ASHG, Aberlour Village Party, ASHG It's a Knockout, Spirit of Speyside Whisky Festival);
- ❖ one-off events (eg walking, running and canoeing competitions, charity events, marquee events, concerts);
- ❖ public leisure activities.

## ii. Future Services

The mooted improvements to the pathways would benefit all ALP users but especially those with restricted mobility and families with prams or pushchairs. Patients at the Fleming Hospital and residents at Speyside Residential Home already enjoy regular excursions by wheelchair, assisted by care staff relatives; while the path along the river bank is patronised by people of all ages and abilities, this is a particularly appealing locus in providing ready, unhindered access for wheelchair and mobility vehicle users and for the disabled generally to the simple joys to be found along the banks of the Spey.

## Section 6: Consultation

### i. Methods Used

In order formally to gauge popular feeling currently prevailing within the village, a Public Consultation was conducted in the week beginning Sunday 29 July 2018 linked in with the second Heritage Day held at the SVC in order to apprise local inhabitants of the ACA's aims with regard to the Park and to collate their responses to them. An indicative consultation to inform the people of Aberlour about the revised and expanded proposal to take over ownership of all three components of ALP was held at the SVC for a window of a week from Sunday 16 June 2019, tying in with MC's awareness raising event about the Speyside Low Carbon Hub held in the Park Arena that afternoon.

### ii. Summary Results

The responses from August 2018 showed that 136 of 137 respondents, 76 of whom declared themselves to be residents of Aberlour and 78 of whom indicated that they are regular users of the ALP, approved wholeheartedly of the ACA application for a CAT for ownership of the ALP Arena, and of the rationale underpinning the application (see Appendix 2). Most popular citations (numbering 60 and 46 responses respectively) directly applauded the natural setting and the peaceful ambience.

The indicative consultation from June 2019 emulated the first, attracting a proportionately lower response but still finding overwhelmingly in favour of the ACA's expanded CAT proposal. From 59 submissions, 31 respondees stated that they come from Aberlour, all but one of whom gave unequivocal support for the proposal. Local footfall is heaviest for the Arena, chosen by 24 respondees, while visitors to the village in general intimated a preference for the Recreation Area. Comments tended to flag up the rightful claim of ACA to take over ownership of the ALP on behalf of the village.

### iii. Letters of Support

The ready enthusiasm of local dignitaries and businessfolk to support the ACA CAT application lends gravitas and authority to the whole enterprise. Individual letters of support for the ACA CAT application received from prominent figures in the community of Aberlour and beyond, in Moray, are reproduced in full in Appendix 6. Pre-eminently these include ASHG, Walkers Shortbread Ltd, Moray Speyside Tourism and the Spirit of Speyside Whisky Festival.



## Section 7: Marketing and Promotion

Aberlour lies at the heart of Speyside distilling country, and as a consequence the village earns a huge spin-off from the incremental increase in tourist footfall from home and abroad that has been experienced in the area over the past five years. While ALP is not a commercial venture as such, ACA is fully aware of its capacity to attract visitors to the village. The newly created SVC website and Facebook are the primary instruments for publicising the park in its own right and as the location of the SVC itself and of the Tearoom. The regular appearance of tourists in the park, arriving by foot, by bicycle and by car, testifies to its growing popularity as a visitor attraction; in addition, the steady stream of camper vans taking advantage of the peaceful riverside setting afforded at the Car Park – consistently approaching double figures throughout the summer, and hailing from all over Europe – is visible testimony to the widespread nature of the amenity's appeal broadcast globally by word of mouth through the power of social media.

## Section 8: Finances

### i. ACA's Current Finances

#### Fleming Hall

On an ongoing basis, ACA needs to find approximately £9,500 to cover the annual overheads of running the Hall. This is partly achieved from letting income. Fundraising by the Hall sub-committee helps to cover any shortfall.

#### Floral Displays

The annual outlay spent on this initiative varies between £500 and £1,000.

#### Christmas Lights

Annual power costs for the village Christmas lights amounts to approximately £190. The major outlay concerns repairs and maintenance which vary from year to year from £300 to £1000. ACA's main income generator, excluding private donations, has been a 'switch on event'. Maintenance costs for 2017 amounted to £758.21, although ACA received £420.50 towards this from the ASHG collection on Games Day.

#### Aberlour Community and District Pipe Band

The Band was formed in 2011 under the auspices of ACA and is self-funding for equipment.

#### The Old Station Tearoom

The Tearoom is a major fundraiser for the village and monies raised are normally shared between the church and ACA to support ACA activities. The Tearoom generated a trading surplus of £6179.97 in the year to September 2018. (The trading surpluses contributed towards funding the £25 000 refurbishments of the Old Station Building and Public Toilets during 2017/2018.)

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#### Speyside Visitor Centre

Outlays, before capital items, are in the region of £1300 and we look to cover this from donations, donations box and any profit from sale of goods along with any rent for use of the Centre. SVC generated a rental income of £5,985.00 in 2018.

#### Old Station Building – Public Toilets

This is a non-income generating service provided by ACA since the CAT process completed in July 2016. Under the agreement, MC pay an annual grant of £3000 plus janitorial requirements, but this arrangement will expire from April 2020. The cost of maintaining the toilets is expected to reduce from previous years due to the installation of CCTV by ACA which has had a significant effect on the reduction in vandalism of the toilets and anti-social behaviour in and around the ALP.

Whilst ACA still has to assess the financial actualities of a full 12 month period, our experience to date indicates outlays of

Maintenance	£2900
Power (Electricity & Gas)	£3000 (80% of total for whole building)
<b>Total</b>	<b>£5900</b>

The provision of public toilets is something that has to be maintained to the highest standards and the decision has to be made whether this is left to ACA alone or whether the local businesses, which benefit from the passing trade, may wish to help with the financing of this essential service. ACA is presently looking to raise grant monies to install pay locks on the Gents and Ladies toilets to assist with costs. Without being definitive, ACA assesses the potential income from pay locks as upwards of £3000.

The financial position for the ACA as at the financial year ending 30th September 2018 shows a closing balance of £ 50,687.74, with an income surplus of £4,246.86 which was augmented by a one-off non-recurring expense incurred in refurbishing the Old Station Tearoom.

Closing balances as at 30 September 2018 are:

General Fund	2753.61
Fleming Hall	6751.90
Community Enhancement & Gardens Project	9554.99
Playpark Fund	996.82
Christmas Lights Appeal	3669.01
Old Station Tearoom	9528.10
Speyside Visitor Centre	6091.18
Aberlour Community & District Pipe Band	11 342.13
<b>Total Balances</b>	<b>£50 687.74</b>

## ii. Alice Littler Park Project

### A Funding

From a funding position, we are conscious that ALP itself will not generate a direct income, with annual costs being calculated at around £5,500 in year 1.<sup>18</sup> However, there is potential to promote use for special events by outside organisations in return for discretionary gratuities donated towards upkeep for use of the facility. Moreover, ACA generates surplus funds from operating the Fleming Hall, Old Station Tearoom and Speyside Visitor Centre (see Enclosure 3, Annual Report for 2018) which can be consolidated to cover the Park costs.

Other potential sources of funding include: pledged support of the Alice Littler Memorial Trust; Paul's Hill Windfarm Community Benefit Fund, which has allocated the community of Aberlour an index linked sum of money, amounting to £6762 in 2018, that ACA can draw down from; and similarly, as Aberlour falls within its catchment area, ACA can apply for funding to Berryburn Windfarm Community Fund.

## B Capital Expenditure

Capital expenditure will be dependent on professional consultation undertaken with regard to regeneration of the ALP, including the playpark area. National funding streams will be identified and accessed, as well as local sources of funding, as appropriate.

Currently MC are legally liable for the playpark equipment. However, a provisional quotation on an annual basis has been received from ACA's insurer to cover this risk, as detailed below:

Estimated Public Liability Premium: £110.00  
Estimated Material Damage Premium: £595.00

These are indicative quotes based on the renewal date of 01/04/2020 relating only to the play park equipment and associated liability risk; they do not cover ownership of the grass and tarmac. Real quotation figures cannot be drawn up until three months prior.<sup>19</sup>

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<sup>18</sup> A full breakdown of Provisional Costs is given in Enclosure 4.

<sup>19</sup> Email from [REDACTED], dated 5/6/19.

## Section 9: Risk Assessment and Management

### i. General Risk Assessment Strategy

A comprehensive Risk Assessment for the ALP area as a whole will be carried out as a matter of priority by a designated member of the ACA Park sub-group with relevant experience of Health and Safety and Risk Assessment with the benefit of the informed advice of MC's Lands and Parks Department. Thereafter, a systematic visual inspection will be carried out by an appointed ACA sub-group member on a monthly basis, with reports fed back to ACA Executive Committee meetings.

ACA's public liability policy provides a £10 million Limit of Indemnity.

### ii. Arena and Recreation Area

For the ALP Arena and the Recreation Area, ACA will appoint a contractor who will be required to furnish evidence of appropriate assessments and evidence of insurance prior to work commencing. Maintenance of the trees and paths will be undertaken professionally, following evaluation of quotations obtained from organisations registered with appropriate professional bodies. Again, monthly visual inspections will be carried out by a representative of the ACA Park sub-group, with reports and action, when deemed necessary, channelled through this group.

### iii. Playground

An initial Risk Assessment of the playground will be made with the advice of MC Lands and Parks Department, with professional safety checks, following MC's specialist advice, being conducted on an annual basis thereafter. Again, monthly visual inspections will be carried out by a representative of the ACA Park sub-group.

### iv. Car Park

For the Car Park area, again a formal risk assessment will be carried out by an appointed ACA committee member on an annual basis, augmented by monthly visual inspections carried out by a representative of the ACA Park sub-group. Ongoing maintenance will be carried out directly by the ACA sub-group itself, or as the situation demands, by a locally approved contractor in full accordance with ACA procurement policy.

### v. Risk Contingencies and Management

Foreseeable Risk Contingencies are recorded and assessed in the following table:

## ABERLOUR COMMUNITY ASSOCIATION SCIO

Scottish Charity number: SC009817

### RISK ASSESSMENT FOR ALICE LITTLER PARK - ALL AREAS

Risk has been assessed over 5 identified areas, which are listed in the table below. For each risk we have assessed the potential impact that its occurrence would have on the ALP project, measured on a 3 point scale of Low, Medium and High. We have also assessed the probability of that risk occurring, again on a 3 point scale of Low, Medium and High.

RISK	IMPACT H/M/Low	PROBABILITY H/M/L	CONTROLS	ACTION	LEAD RESPON- SIBILITY
<b>FINANCIAL</b>					
CAT does not proceed	No transfer or transfer delay  High impact	Low	Weekly meetings of CAT group	Frequent engagement between CAT group and MC officers	CAT sub-group
ACA does not generate sufficient funds to cover running costs	Basic safety must be ensured but grass cutting would have to stop temporarily  High Impact	Low	Robust financial management processes & procedures	Fundraising and develop further income sources	ACA
Significant change in expenditure costs	Unable to proceed with medium and longer term projected improvements (paths and play park)  High Impact	Low	Good budget control and regular cash flow analysis	Seek further sources of funding	ACA and Treasurer

**GOVERNANCE**

Failure of support from ACA	Medium/long term path & play park improvements delayed or halted <b>High Impact</b>	<b>Low</b>	Close	Maintain park as an agenda item at all ACA Exec. Comm. meetings	ACA
Changes to the status of community ownership of public parks	Ownership being removed or amended by future legislation <b>High Impact</b>	<b>Low</b>	Close	Lobby local politicians  Launch immediate appeals against any such legislation	ACA and the wider community of Aberlour

**ARENA AREA OF PARK**

Damage by flooding	Riverside path washed away and play flooded for a short time <b>Low impact</b>	<b>Low</b>	None	Let water soak away, repair path	Park sub-group
Damage by vandalism	Trees damaged, grass areas cut up by wheeled vehicles <b>Low impact</b>	<b>Low</b>	Limit wheeled vehicle access to Alice Littler Park by use of removable bollards	Develop good community relationships	ACA
Falls from station platform	Personal Injury <b>Medium impact</b>	<b>Low</b>	Signage to highlight the danger to people using	Put up warning signs on the platform  Paint white line	

			<p>the platform</p> <p>No riding of bicycles or skateboards on station platform</p> <p>Insurance in place to cover any possible damages claim</p>	<p>along edge of platform and steps, and erect banister down steps</p>	ACA
Falling Tree branches	<p>Injury to visitor/s walking underneath</p> <p>Medium impact</p>	Low	<p>Annual tree inspection by qualified person, insurance in place to cover any possible damages claim</p>	<p>Weekly visual inspection of trees by volunteer</p> <p>Have emergency and medical contact details to hand in Speyside Visitor Centre and Old Station Tearoom</p>	Park sub-group
River accidents	<p>Death by drowning</p> <p>High Impact</p>	Low	<p>Signs to make park users aware of the dangers of playing too near the river</p>	<p>Provide water rescue ring and rope stations on riverbank</p>	
Dog fouling	<p>Toxocariasis, E.coli and hepatitis in dog faeces</p> <p>Contaminated soil or sand within the</p>		<p>Signs informing owners that their dogs are required</p>	<p>Check the Park daily</p> <p>Remove any faeces</p>	



	Alice Littler Park <b>High Impact</b>	<b>Medium</b>	to be on a lead in parks and recreation fields  Provide poop-scoops and containers  Empty them regularly  Request owners to remove faeces	Devise an approved system for collection and disposal  A leaflet on chemicals on playgrounds is made available to dog owners in the Speyside Visitor Centre	<b>Park sub-group</b>
Dog bites	Under 10's most likely to be at risk (NHS Digital) <b>High Impact</b>	<b>Medium</b>	Provide clear signs banning dogs from the play area of the park  insurance in place to cover any possible damages claim	Develop publicity and education programmes	

**PLAYPARK AREA**

Falls by users of play park equipment	Varying degrees of injury <b>Medium impact</b>	<b>Low</b>	Annual safety inspection of furniture by qualified H&S person,  Public liability insurance in place	Monthly visual inspection of play equipment by volunteer	<b>Playpark sub-group</b>

Damage to equipment at play park	Medium impact	Low	Visual inspection	Repair or removal of damaged equipment to ensure safety first	Park sub-group
Dog fouling	Toxocariasis, E.coli and hepatitis in dog faeces  Contaminated soil or sand within the Alice Littler Park  <b>High Impact</b>	Medium	Require dogs to be on a lead in parks and recreation fields  Provide poop-scoops and bins  Empty bins regularly  Request owners to remove faeces  Insurance in place to cover any possible damages claims	Check the playground daily  Remove any faeces  Create an approved system for collection and disposal  A leaflet on chemicals on playgrounds is made available to dog owners in the Speyside Visitor Centre and the Old Station Tearoom	Park sub-group
Dog bites	Under 10's most likely to be at risk (NHS Digital)	Medium	Provide clear signs banning dogs from playpark area  Insurance in place to cover any possible damages claim	Develop publicity and education programmes	Park sub-group
<b>CAR PARK AREA</b>					

<b>Damage/ injury caused during vehicle movements</b>	<b>Medium Impact</b>	<b>Medium</b>	<b>Ensure area covered by appropriate insurance</b>	<b>Take guidance from MC officers and keep within ROSPA guidance</b>	<b>Park sub-group</b>
<b>Damage/injury caused by uneven surface</b>	<b>Medium Impact</b>	<b>Medium</b>	<b>Ensure area covered by appropriate insurance</b>	<b>Take guidance from MC officers and keep within RoSPA guidance</b>	<b>Park sub-group</b>





*14 September 1812*

# *Aberlour Community Association SCIO*

Scottish Charity Number: SC009817

## **ACA CAT: List of Enclosures**

1. **Constitution of Aberlour Community Association SCIO SC009817**
2. **Map of area of Alice Littler Park concerned in Application, as agreed with MC Environmental Services during discussions concerning proposed Long Lease of Alice Littler Park by Aberlour Community Association SCIO**
3. **Aberlour Community Association SCIO Annual Report 2018**
4. **Aberlour Community Association SCIO CAT Application Table of Projected Costs**



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**CONSTITUTION OF**  
**Aberlour Community Association SCIO**  
**Registered Charity Number 009817**

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**CONSTITUTION**  
of  
**Aberlour Community Association SCIO**

<b>CONTENTS</b>		
<b>GENERAL</b>	type of organisation, Scottish principal office, name, purposes, powers, liability, general structure	clauses 1 - 9
<b>MEMBERS</b>	qualifications for membership, application, subscription, register of members, withdrawal, transfer, reregistration, expulsion	clauses 10 - 24
<b>DECISION-MAKING BY THE MEMBERS</b>	members' meetings, power to request members' meeting, notice, procedure at members' meetings, voting at members' meetings, written resolutions, minutes	clauses 25 - 51
<b>BOARD (CHARITY TRUSTEES)</b>	number, eligibility, election/retiral/re-election, termination of office, register of charity trustees, office bearers, powers, general duties, code of conduct	clauses 52 - 79
<b>DECISION-MAKING BY THE CHARITY TRUSTEES</b>	notice, procedure at board meetings, minutes	clauses 80 - 95
<b>ADMINISTRATION</b>	sub-committees, operation of accounts, accounting records and annual accounts	clauses 96 - 104
<b>MISCELLANEOUS</b>	winding up, alterations to the constitution, interpretation	clauses 105 - 110

**GENERAL****Type of organisation**



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

### **Scottish principal office**

2 The principal office of the organisation will be in Scotland (and will remain in Scotland).

### **Name**

3 The name of the organisation is Aberlour Community Association SCIO.

### **Purposes**

The organisation's purposes are to:

- a) The advancement of citizenship and community development through the promotion of civic responsibility and volunteering and the promotion of economic and social development of the inhabitants of Aberlour and the wider community of Speyside; and
- b) The provision of recreational facilities and activities for the purpose of social welfare, leisure, recreation and with the object of improving the conditions of life for the persons for whom the facilities or activities are primarily intended.

### **Powers**

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

### **Liability of members**

- 6 ~~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.~~
- 7 The members and charity trustees have certain legal duties under the Charities and Trustee Investment (Scotland) Act 2005; and clause 7 does not exclude (or limit) any personal liabilities they might incur if they are in breach of those duties or in breach of other legal obligations or duties that apply to them personally.

### **General structure**

- 8 The structure of the organisation consists of:-
  - 8.1 the MEMBERSHIP – comprising not fewer than twenty members at any time who have the right to attend members' meetings (including any annual general meeting) and have important powers under the constitution; in

particular, the members appoint people to serve on the Executive Committee and take decisions on changes to the constitution itself;

8.2 the EXECUTIVE COMMITTEE - who hold regular meetings, and generally control the activities of the organisation; for example, the Executive Committee is responsible for monitoring and controlling the financial position of the organisation.

8.3 In the event that the number of members falls below 20 the Executive Committee may conduct only essential business other than taking steps to ensure the admission of sufficient Ordinary Members to achieve the minimum number.

9 The people serving on the Executive Committee act as Board members and are also the CHARITY TRUSTEES.

### **MEMBERS Qualifications for membership**

10 Membership is open to any individual aged 16 or over who has completed a membership form and who resides within the area of Charlestown of Aberlour, defined as from Allahoy to the north following water courses to Gownie to the east and turning west along the wooded area before turning in a southerly direction to Lag-a-Horie and then west to Speyview, which lies south of Aberlour, missing the Craggans but taking in Knockside, the Hatton and Tombain. The border to the west is formed by the River.

11 Employees of the organisation are not eligible for membership.

### **Application for membership**

12 Any person fulfilling the membership qualifications described in clause 11 who wishes to become a member must sign a written application for membership; the application will then be considered by the Executive Committee at its next meeting.

13 The Executive Committee may, at its discretion, refuse to admit any person to membership.

14 The Executive Committee must notify each applicant promptly (in writing or by e-mail) of its decision on whether or not to admit him/her to membership.

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### **Membership subscription**

15 No membership subscription will be payable.

### **Register of members**

16 The Executive Committee must keep a register of members, setting out

16.1 for each current member:

16.1.1 his/her full name and address; and

- 16.1.2 the date on which he/she was registered as a member of the organisation;
- 16.2 for each former member - for at least six years from the date on he/she ceased to be a member:
- 16.2.1 his/her name; and
- 16.2.2 the date on which he/she ceased to be a member.
- 17 The Executive Committee must ensure that the register of members is updated within 28 days of any change:
- 17.1 which arises from a resolution of the Executive Committee or a resolution passed by the members of the organisation; or
- 17.2 which is notified to the organisation.
- 18 If a member of the organisation requests a copy of the register of members, the Executive Committee must ensure that a copy is supplied to him/her within 28 days, providing the request is reasonable; if the request is made by a member, the Executive Committee may provide a copy which has the addresses blanked out.

#### **Withdrawal from membership**

- 19 Any person who wants to withdraw from membership must give a written notice of withdrawal to the organisation, signed by him/her; he/she will cease to be a member as from the time when the notice is received by the organisation.

#### **Transfer of membership**

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

#### **Re-registration of members**

- 21 The Executive Committee may, at any time, issue notices to the members requiring them to confirm that they wish to remain as members of the organisation, and allowing them a period of 28 days (running from the date of issue of the notice) to provide that confirmation to the Executive Committee.
- 22 If a member fails to provide confirmation to the Executive Committee (in writing or by e-mail) that he/she wishes to remain as a member of the organisation before the expiry of the 28-day period referred to in clause 21, the Executive Committee may expel him/her from membership.
- 23 A notice under clause 21 will not be valid unless it refers specifically to the consequences (under clause 22) of failing to provide confirmation within the 28-day period.

## **Expulsion from membership**

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

## **DECISION-MAKING BY THE MEMBERS**

### **Members' meetings**

- 25 The Executive Committee must arrange a meeting of members (an annual general meeting or "AGM") in each calendar year.
- 26 The gap between one AGM and the next must not be longer than 15 months.
- 27 Notwithstanding clause 25, an AGM does not need to be held during the calendar year in which the organisation is formed; but the first AGM must still be held within 15 months of the date on which the organisation is formed.
- 28 The business of each AGM must include:-
- 28.1 a report by the chairmain on the activities of the organisation;
  - 28.2 consideration of the annual accounts of the organisation;
  - 28.3 the election/re-election of Executive Committee (charity trustees), as referred to in clauses 57 to 60.
- 29 The Executive Committee may arrange a special members' meeting at any time.

### **Power to request the Executive Committee to arrange a special members' meeting**

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- 30 The Executive Committee must arrange a special members' meeting if they are requested to do so by a notice signed by twelve members, providing:
- 30.1 the notice states the purposes for which the meeting is to be held; and
  - 30.2 those purposes are not inconsistent with the terms of this constitution, the Charities and Trustee (Investment) Scotland Act 2005 or any other statutory provision.
- 31 If the Executive Committee receive a notice under clause 30, the date for the meeting which they arrange in accordance with the notice must not be later than 28 days from the date on which they received the notice.

## **Notice of members' meetings**

- 32 At least 14 clear days' notice must be given of any AGM or any special members' meeting.
- 33 The notice calling a members' meeting must specify in general terms what business is to be dealt with at the meeting; and
- 33.1 in the case of a resolution to alter the constitution, must set out the exact terms of the proposed alteration(s); or
- 33.2 in the case of any other resolution falling within clause 44 (requirement for two-thirds majority) must set out the exact terms of the resolution.
- 34 The reference to "clear days" in clause 32 shall be taken to mean that, in calculating the period of notice,
- 34.1 the day after the notices are posted (or sent by e-mail) should be excluded; and
- 34.2 the day of the meeting itself should also be excluded.
- 35 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.
- 36 Any notice which requires to be given to a member under this constitution must be: -
- 36.1 sent by post to the member, at the address last notified by him/her to the organisation; or
- 36.2 sent by e-mail to the member, at the e-mail address last notified by him/her to the organisation.

## **Procedure at members' meetings**

- ~~37 No valid decisions can be taken at any members' meeting unless a quorum is present.~~
- 38 The quorum for a members' meeting is 20 members, present in person.
- 39 If a quorum is not present within 15 minutes after the time at which a members' meeting was due to start - or if a quorum ceases to be present during a members' meeting - the meeting cannot proceed; and fresh notices of meeting will require to be sent out, to deal with the business (or remaining business) which was intended to be conducted.
- 40 The chairman of the organisation should act as chairman of each members' meeting.
- 41 If the chairman of the organisation is not present within 15 minutes after the time at which the meeting was due to start (or is not willing to act as chairman), the

Executive Committee members present at the meeting must elect (from among themselves) the person who will act as chairperson of that meeting.

### **Voting at members' meetings**

- 42 Every member has one vote, which must be given personally.
- 43 All decisions at members' meetings will be made by majority vote - with the exception of the types of resolution listed in clause 44.
- 44 The following resolutions will be valid only if passed by not less than two thirds of those voting on the resolution at a members' meeting (or if passed by way of a written resolution under clause 48):
- 44.1 a resolution amending the constitution;
  - 44.2 a resolution expelling a person from membership under article 24;
  - 44.3 a resolution directing the Executive Committee to take any particular step (or directing the Executive Committee not to take any particular step);
  - 44.4 a resolution approving the amalgamation of the organisation with another SCIO (or approving the constitution of the new SCIO to be constituted as the successor pursuant to that amalgamation);
  - 44.5 a resolution to the effect that all of the organisation's property, rights and liabilities should be transferred to another SCIO (or agreeing to the transfer from another SCIO of all of its property, rights and liabilities);
  - 44.6 a resolution for the winding up or dissolution of the organisation.
- 45 If there is an equal number of votes for and against any resolution, the chairman of the meeting will be entitled to a second (casting) vote.
- 46 A resolution put to the vote at a members' meeting will be decided on a show of hands - unless the chairman (or at least two other members present at the meeting) ask for a secret ballot.
- 47 The chairman will decide how any secret ballot is to be conducted, and he/she will declare the result of the ballot at the meeting.
- 

### **Written resolutions by members**

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

### **Minutes**

- 49 The Executive Committee must ensure that proper minutes are kept in relation to all members' meetings.

- 50 Minutes of members' meetings must include the names of those present; and (so far as possible) should be signed by the chairman of the meeting.
- 51 The Executive Committee shall make available copies of the minutes referred to in clause 49 to any member of the public requesting them; but on the basis that the board may exclude confidential material to the extent permitted under clause 95.

**EXECUTIVE COMMITTEE Number of members of the Executive Committee (charity trustees)**

- 52 The maximum number of members of the Executive Committee (charity trustees) is 16
- 53 The minimum number of members of the Executive Committee (charity trustees) is 10

**Eligibility**

- 54 A person will not be eligible for election or appointment to the Executive Committee (charity trustees) unless he/she is a member of the organisation.
- 55 A person will not be eligible for election or appointment to the Executive Committee (charity trustee) if he/she is: -
- 55.1 disqualified from being a charity trustee under the Charities and Trustee Investment (Scotland) Act 2005; or
  - 55.2 an employee of the organisation.

**Initial charity trustees**

- 56 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.

**Election, retiral, re-election**

- 
- 57 At each AGM, the members may elect any member (unless he/she is debarred from membership under clause 54) to be a member of the Executive Committee and hence a charity trustee.
- 58 The Executive Committee may at any time appoint any member (unless he/she is debarred from membership under clause 54) to be a a member of the Executive Committee (charity trustee).
- 59 At each AGM, all of the Executive Committee (charity trustees) must retire from office - but may then be re-elected under clause 57.
- 60 An Executive Committee member (charity trustee) retiring at an AGM will be deemed to have been re-elected unless: -

- 60.1 he/she advises the Executive Committee (charity trustees) prior to the conclusion of the AGM that he/she does not wish to be re-appointed as an Executive Committee member (charity trustee); or
- 60.2 an election process was held at the AGM and he/she was not among those elected/re-elected through that process; or
- 60.3 a resolution for the re-election of that Executive Committee (charity trustee) was put to the AGM and was not carried.

### Termination of office

- 61 An Executive Committee member (charity trustee) will automatically cease to hold office if: -
  - 61.1 he/she becomes disqualified from being a charity trustee under the Charities and Trustee Investment (Scotland) Act 2005;
  - 61.2 he/she becomes incapable for medical reasons of carrying out his/her duties as an Executive Committee member (charity trustee) - but only if that has continued (or is expected to continue) for a period of more than six months;
  - 61.3 he/she ceases to be a member of the organisation;
  - 61.4 he/she becomes an employee of the organisation;
  - 61.5 he/she gives the organisation a notice of resignation, signed by him/her;
  - 61.6 he/she is absent (without good reason, in the opinion of the Executive Committee) from more than three consecutive meetings of the board - but only if the Executive Committee (charity trustees) resolves to remove him/her from office;
  - 61.7 he/she is removed from office by resolution of the Executive Committee (charity trustees) on the grounds that he/she is considered to have committed a material breach of the code of conduct for charity trustees (as referred to in clause 78);
  - 61.8 he/she is removed from office by resolution of the Executive Committee (charity trustees) on the grounds that he/she is considered to have been in serious or persistent breach of his/her duties under section 66(1) or (2) of the Charities and Trustee Investment (Scotland) Act 2005; or
  - 61.9 he/she is removed from office by a resolution of the members passed at a members' meeting.
- 62 resolution under paragraph 61.7, 61.8 or 61.9 shall be valid only if: -



- 62.1 the Executive Committee member (charity trustee) who is the subject of the resolution is given reasonable prior written notice of the grounds upon which the resolution for his/her removal is to be proposed;
- 62.2 the Executive Committee member (charity trustee) concerned is given the opportunity to address the meeting at which the resolution is proposed, prior to the resolution being put to the vote; and
- 62.3 (in the case of a resolution under paragraph 61.7 or 61.8) at least two thirds (to the nearest round number) of the Executive Committee (charity trustees) then in office vote in favour of the resolution.

### **Register of charity trustees**

63 The Executive Committee must keep a register of Executive Committee members (charity trustees), setting out

63.1 for each current Executive Committee member (charity trustee):

63.1.1 his/her full name and address;

63.1.2 the date on which he/she was appointed as Executive Committee member (charity trustee); and

63.1.3 any office held by him/her in the organisation;

63.2 for each former Executive Committee member (charity trustee) - for at least 6 years from the date on which he/she ceased to be an Executive Committee member (charity trustee):

63.2.1 the name of the Executive Committee member (charity trustee);

63.2.2 any office held by him/her in the organisation; and

63.2.3 the date on which he/she ceased to be an Executive Committee member (charity trustee).

~~64 The Executive Committee must ensure that the register of Executive Committee members (charity trustees) is updated within 28 days of any change:~~

~~64.1 which arises from a resolution of the Executive Committee or a resolution passed by the members of the organisation; or~~

~~64.2 which is notified to the organisation.~~

65 If any person requests a copy of the register of Executive Committee members (charity trustees), the Executive Committee must ensure that a copy is supplied to him/her within 28 days, providing the request is reasonable; if the request is made by a person who is not a Executive Committee member (charity trustee) of the organisation, the Executive Committee (charity trustees) may provide a copy which has the addresses blanked out - if the SCIO is satisfied that including that information is likely to jeopardise the safety or security of any person or premises.

## **Office-bearers**

- 66 The members at the AGM must elect a chairman, vice-chairman, a treasurer and a secretary.
- 67 In addition to the office-bearers required under clause 66, the Executive Committee (charity trustees) may elect (from among themselves) further office-bearers if they consider that appropriate.
- 68 All of the office-bearers will cease to hold office at the conclusion of each AGM, but may then be re-elected under clause 66 or 67.
- 69 A person elected to any office will automatically cease to hold that office: -
- 69.1 if he/she ceases to be a charity trustee; or
  - 69.2 if he/she gives to the organisation a notice of resignation from that office, signed by him/her.

## **Powers of Executive Committee**

- 70 Except where this constitution states otherwise, the organisation (and its assets and operations) will be managed by the Executive Committee and the Executive Committee may exercise all the powers of the organisation.
- 71 A meeting of the Executive Committee at which a quorum is present may exercise all powers exercisable by the Executive Committee.
- 72 The members may, by way of a resolution passed in compliance with clause 44 (requirement for two-thirds majority), direct the Executive Committee to take any particular step or direct the Executive Committee not to take any particular step; and the Executive Committee shall give effect to any such direction accordingly.

## **Charity trustees - general duties**

- 73 Each charity trustee (Executive Committee member) has a duty, in exercising functions-as a charity trustee, to act in the interests of the organisation; and, in particular, must:-
- 73.1 seek, in good faith, to ensure that the organisation acts in a manner which is in accordance with its purposes;
  - 73.2 act with the care and diligence which it is reasonable to expect of a person who is managing the affairs of another person;
  - 73.3 in circumstances giving rise to the possibility of a conflict of interest between the organisation and any other party:

73.3.1 put the interests of the organisation before that of the other party;

73.3.2 where any other duty prevents him/her 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;

73.4 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.

74 In addition to the duties outlined in clause 73, all of the charity trustees (Executive Committee members) must take such steps as are reasonably practicable for the purpose of ensuring: -

74.1 that any breach of any of those duties by a charity trustee is corrected by the charity trustee concerned and not repeated; and

74.2 that any trustee who has been in serious and persistent breach of those duties is removed as a trustee.

75 Provided he/she has declared his/her interest - and has not voted on the question of whether or not the organisation should enter into the arrangement - a charity trustee (Executive Committee member) will not be debarred from entering into an arrangement with the organisation in which he/she has a personal interest; and (subject to clause 76 and to the provisions relating to remuneration for services contained in the Charities and Trustee Investment (Scotland) Act 2005), he/she may retain any personal benefit which arises from that arrangement.

76 No charity trustee (Executive Committee member) may serve as an employee (full time or part time) of the organisation; and no charity trustee (Executive Committee member) may be given any remuneration by the organisation for carrying out his/her duties as a charity trustee (Executive Committee member).

77 The charity trustees (Executive Committee members) may be paid all travelling and other expenses reasonably incurred by them in connection with carrying out their duties; this may include expenses relating to their attendance at meetings.

#### **Code of conduct for charity trustees**

78 Each of the charity trustees (Executive Committee members) shall comply with the code of conduct (incorporating detailed rules on conflict of interest) prescribed by the Executive Committee from time to time.

79 The code of conduct referred to in clause 78 shall be supplemental to the provisions relating to the conduct of charity trustees contained in this constitution and the duties imposed on charity trustees under the Charities and Trustee Investment (Scotland) Act 2005; and all relevant provisions of this constitution shall be interpreted and applied in accordance with the provisions of the code of conduct in force from time to time

## **DECISION-MAKING BY THE CHARITY TRUSTEES (EXECUTIVE COMMITTEE) Notice of Executive Committee meetings**

- 80 Any charity trustee (Executive Committee member) may call a meeting of the Executive Committee or ask the secretary to call a meeting of the Executive Committee.
- 81 At least 14 days' notice must be given of each Executive Committee meeting, unless (in the opinion of the person calling the meeting) there is a degree of urgency which makes that inappropriate.

### **Procedure at Executive Committee meetings**

- 82 No valid decisions can be taken at an Executive Committee meeting unless a quorum is present; the quorum for Executive Committee meetings is 10 Executive Committee members (charity trustees), present in person.
- 83 If at any time the number of charity trustees (Executive Committee members) in office falls below the number stated as the quorum in clause 82, the remaining charity trustee(s) (Executive Committee member(s)) will have power to fill the vacancies or call a members' meeting - but will not be able to take any other valid decisions.
- 84 The chairman of the organisation should act as chairman of each Executive Committee meeting.
- 85 If the chairman is not present within 15 minutes after the time at which the meeting was due to start (or is not willing to act as chairman), the charity trustees (Executive Committee members present at the meeting must elect (from among themselves) the person who will act as chairman of that meeting.
- 86 Every charity trustee (Executive Committee member) has one vote, which must be given personally.
- 87 All decisions at Executive Committee meetings will be made by majority vote.
- 88 If there is an equal number of votes for and against any resolution, the chairman of the meeting will be entitled to a second (casting) vote.
- 89 The Executive Committee may, at its discretion, allow any person to attend and speak at a Executive Committee meeting notwithstanding that he/she is not a charity trustee - but on the basis that he/she must not participate in decision-making.
- 90 A charity trustee (Executive Committee member) must not vote at a Executive Committee meeting (or at a meeting of a sub-committee) on any resolution which relates to a matter in which he/she has a personal interest or duty which conflicts (or may conflict) with the interests of the organisation; he/she must withdraw from the meeting while an item of that nature is being dealt with.
- 91 For the purposes of clause 90: -

- 91.1 an interest held by an individual who is "connected" with the charity trustee under section 68(2) of the Charities and Trustee Investment (Scotland) Act 2005 (husband/wife, partner, child, parent, brother/sister etc) shall be deemed to be held by that charity trustee (Executive Committee member);
- 91.2 a charity trustee (Executive Committee member) will be deemed to have a personal interest in relation to a particular matter if a body in relation to which he/she is an employee, director, member of the management committee, officer or elected representative has an interest in that matter.

## **Minutes**

- 92 The Executive Committee must ensure that proper minutes are kept in relation to all Executive Committee meetings and meetings of subcommittees.
- 93 The minutes to be kept under clause 92 must include the names of those present; and (so far as possible) should be signed by the chairman of the meeting.
- 94 The Executive Committee shall (subject to clause 95) make available copies of the minutes referred to in clause 92 to any member of the public requesting them.
- 95 The Executive Committee may exclude from any copy minutes made available to a member of the public under clause 94 any material which the Executive Committee considers ought properly to be kept confidential - on the grounds that allowing access to such material could cause significant prejudice to the interests of the organisation or on the basis that the material contains reference to employee or other matters which it would be inappropriate to divulge.

## **ADMINISTRATION Delegation to sub-committees**

- 96 The Executive Committee may delegate any of their powers to subcommittees; a sub-committee must include at least one charity trustee (Executive Committee member), but other members of a subcommittee need not be charity trustees (Executive Committee members).
- ~~97 The Executive Committee may also delegate to the chairman of the organisation (or the holder of any other post) such of their powers as they may consider appropriate.~~
- 98 When delegating powers under clause 96 or 97, the Executive Committee must set out appropriate conditions (which must include an obligation to report regularly to the board).
- 99 Any delegation of powers under clause 96 or 97 may be revoked or altered by the Executive Committee at any time.
- 100 The rules of procedure for each sub-committee, and the provisions relating to membership of each sub-committee, shall be set by the Executive Committee.

## **Operation of accounts**

- 101 Subject to clause 102, the signatures of two out of three signatories appointed by the Executive Committee will be required in relation to all operations (other than the lodging of funds) on the bank and building society accounts held by the organisation; at least one out of the two signatures must be the signature of a charity trustee.
- 102 Where the organisation uses electronic facilities for the operation of any bank or building society account, the authorisations required for operations on that account must be consistent with the approach reflected in clause 101.

## **Accounting records and annual accounts**

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

## **MISCELLANEOUS Winding-up**

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

## **Alterations to the constitution**

- 107 This constitution may (subject to clause 108) be altered by resolution of the members passed at a members' meeting (subject to achieving the two thirds majority referred to in clause 44) or by way of a written resolution of the members.
- 108 The Charities and Trustee Investment (Scotland) Act 2005 prohibits taking certain steps (e.g. change of name, an alteration to the purposes, amalgamation, winding-up) without the consent of the Office of the Scottish Charity Regulator (OSCR).

## **Interpretation**

- 109 References in this constitution to the Charities and Trustee Investment (Scotland) Act 2005 should be taken to include: -
- 109.1 any statutory provision which adds to, modifies or replaces that Act; and
- 109.2 any statutory instrument issued in pursuance of that Act or in pursuance of any statutory provision falling under paragraph 109.1 above.

110 In this constitution: -

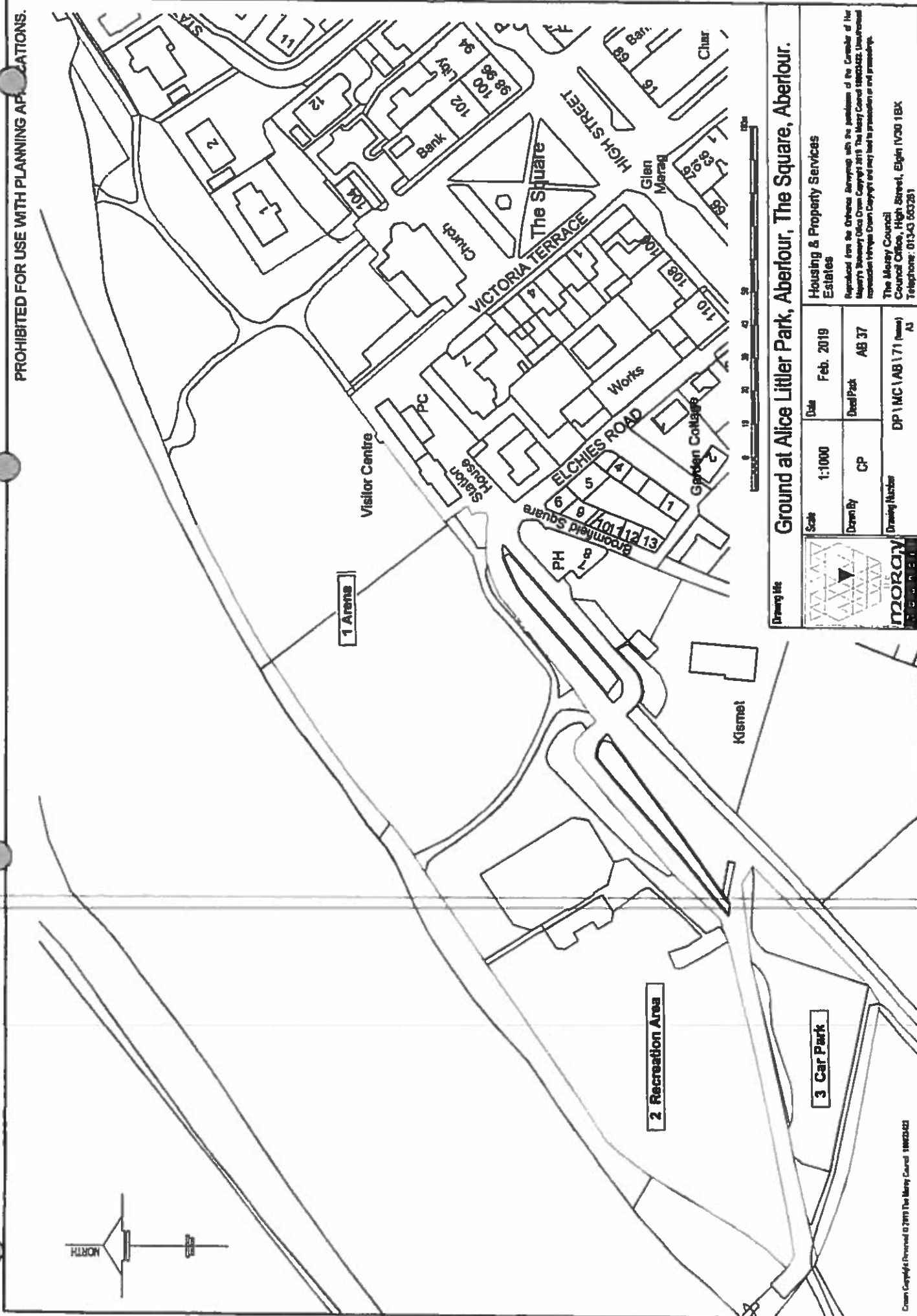
110.1 "charity" means a body which is either a "Scottish charity" within the meaning of section 13 of the Charities and Trustee Investment (Scotland) Act 2005 or a "charity" within the meaning of section 1 of the Charities Act 2006, providing (in either case) that its objects are limited to charitable purposes;

110.2 "charitable purpose" means a charitable purpose under section 7 of the Charities and Trustee Investment (Scotland) Act 2005 which is also regarded as a charitable purpose in relation to the application of the Taxes Acts.





PROHIBITED FOR USE WITH PLANNING APPLICATIONS.



Drawing title

### Ground at Alice Littler Park, AberLOUR, The Square, AberLOUR.



Scale	1:1000	Date	Feb. 2019
Density	CP	Deal/Pack	AB 37
Drawing Number	DP 1 MC 1 AB 1 71 (name) A3		

Housing & Property Services Estates

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The Moray Council  
 Council Office, High Street, Elgin IV30 1BX  
 Telephone: 01343 563281



# *Aberlour Community Association*

Scottish Charity Registered Number: SC009817

*Charter of Aberlour*



*19 September 1872*

## **Annual Report**

**Year ending 30<sup>th</sup> September, 2018**

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1. Trustees Report
2. Chairman's Report
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10. Aberlour Community & District Pipe Band – Financial Statement Reconciliation

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11. Aberlour Community & District Pipe Band – Treasurer's Report

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12. Independent Examiner's Report

November, 2018



14 September 1812

## **Trustees Report for the Period ending 30 September 2018**

This is a Charitable Organisation and was formed as an unincorporated Entity at a Public Meeting on 23<sup>rd</sup> October, 1974. Charitable status was granted by the Inland Revenue on 7 December, 1979 under reference ED335/79/GWM. Scottish Charity Number SC009817 was confirmed by the Inland Revenue on 14<sup>th</sup> July, 1992.

The Association was governed by Constitution which was reviewed and adopted on 25<sup>th</sup> April, 2007. However, as part of the Community Asset Transfer process for the Old Station Building it was agreed to seek to transfer to a Scottish Charitable Incorporated Organisation (SCIO) and this was approved by The Office of the Scottish Charity Regulator (OSCR) on 11<sup>th</sup> November, 2015. Members of Aberlour Community Association agreed to transfer to a SCIO at the Annual General Meeting on 2<sup>nd</sup> December, 2015 when an updated Constitution that had been agreed previously by OSCR was approved by the Members..

### **Purposes of the Association**

- a) The advancement of citizenship and community development through the promotion of civic responsibility and volunteering and the promotion of economic and social development of the inhabitants of Aberlour and the wider community of Speyside, and
- b) The provision of recreational facilities and activities for the purpose of social welfare, leisure, recreation and with the object of improving the conditions of life for the persons for whom the facilities or activities are primarily intended

### **Powers of the Association**

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

### **Liability of Members**

- a) 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 liable
- b) The members and charity trustees have certain legal duties under the Charity and Trustee Investment (Scotland) Act 2005; and Clause 7 does not exclude (or limit) any personal liabilities they might incur if they are in breach of those duties or in breach of other legal obligations or duties that apply to them personally

### **Qualifications for Membership**

Membership is open to any individual aged 16 or over who has completed a Membership Form and who resides within the area of Charlestown of Aberlour, defined as from Allahoy to the North following water courses to Gowrie to the East and turning West along the wooded area before turning in a Southerly direction to Lag-a-Horie and then West to Speyview, which lies South of Aberlour, missing The Craggans, but taking in Knockside, The Hatton and Tombain. The border to the West is formed by The River Spey.

Employees of the organisation are not eligible for membership

The Members – who have the right to attend Members' Meetings (including any Annual General Meeting) and have important powers under the Constitution; in particular, the Members appoint people to serve on the Board and take decisions on changes to the Constitution itself.

The current Members appointed on 2<sup>nd</sup> December, 2015 are:

[REDACTED]

The following Members joined the Association on 20<sup>th</sup> April, 2016 - [REDACTED]

[REDACTED] joined on 12<sup>th</sup> September, 2016.

[REDACTED] joined the Association on 7<sup>th</sup> December, 2016  
[REDACTED] joined on 6 December, 2017

The current Trustees were appointed by nomination from the floor at the Annual General Meeting held on Wednesday 6<sup>th</sup> December, 2017

Chairman:

Vice-Chairman:

Secretary:

Treasurer:

Trustees

[REDACTED]

[REDACTED]

### Activities of the Association

The main activities of the Association are, liaising with Local Authority, NHS etc on matters concerning the Village. Coordinate and help to maintain floral displays throughout the year and provide Christmas Lighting displays along the High Street and in the Square. We provide Putting facilities (June – September) in the Alice Littler Park and manage the Park in conjunction with The Moray Council.

The Fleming Hall is managed by a sub-Committee under lease for a period of 25 years from 1<sup>st</sup> April, 2002 from The Moray Council. Separate accounting records are maintained.

We also operate The Old Station Tearoom from June until end of September. The Tearoom has a sub-Committee with separate accounting and is staffed by Volunteers daily from June until September. The Surplus earned from trading is shared by the Community Association to fund our activities with a share (normally one third) going to The Church of Scotland whose members provide a number of the Volunteers.

~~The Tearoom is made available to other Charitable Organisations for fundraising purposes.~~

During 2014 the Association were granted a Licence to operate the former Speyside Way Visitor Centre which had been closed by the Moray Council. The Visitor Centre re-opened again for the Summer of 2015 under the management of Aberour Community Association and staffed by Volunteers seven days per week from April until September. The Centre has a 3 Star Rating from Visit Scotland (renewed 2017). The Volunteers have undergone World Host Training.

The Station Building property was approved as a Community Asset Transfer by The Moray Council on 17<sup>th</sup> February, 2015 and ownership was transferred to Aberour Community Association on 22<sup>nd</sup> July, 2016. The Building comprises Tearoom, Visitor Centre and Public Toilets.

Both the Fleming Hall and the Old Station Tearoom are regarded as focal points in the Village

### Inventory of Assets

A detailed Inventory is maintained by the Treasurer and this brings out a total value of £306,516 viz:

Fixed Assets	£177,450	
Playpark Assets		£ 47,000**
Moveable Assets	£ 97,074	
Total	£274,524	

*Charterhouse of Aberlour*



*14 September 1872*

## *Aberlour Community Association*

SCIO Registered Number SC009817

### **Chairman's Report Year ending 30<sup>th</sup> September 2018**

At the end of another very busy year it is pleasing to note that the efforts of our Volunteers have produced an Income Surplus of £4,246.86 with closing funds totalling £50,687.74.

The Old Station Building has had a busy year with a record income through the Tearoom and footfall through the Visitor Centre showing a 13.4% increase on 2017. Sales of teas etc, including Whisky Festival weekend, is up 20.7% at £6,256 whilst total income stands at £9,462.51 after donations received and rental income.

Catering supplies have increased 105% at £1,052.59. The main reason for this is the large increase in ice cream sales – in 2017 the cost of buying in ice cream was £213.76 whereas the cost for 2018 was £546.31. There were no 'blank' days in the Tearoom this year but with an aging list of Volunteers we have to look at how we run the facility as some of the Volunteers are giving up.

We have operated the Visitor Centre for five seasons and each year has shown an increase in numbers. 2018 had 6,376 visitors of which 33% were overseas and 45% UK beyond Speyside. Over the five seasons we have had visitors from 72 different countries around the world. Refurbishment of the building, including external painting, was completed in early 2018 making the facilities more attractive to the general public.

We are, gradually, developing a heritage and genealogy theme in Speyside Visitor Centre and we should bear in mind the artefacts for Aberlour and Aberlour Orphanage which are stored in the Falconer Museum, Forres. A 'request' to have the artefacts returned to the Village has not been well received by The Moray Council but pressure must be kept up to meet our request as the future of Falconer Museum is uncertain and the items could end up with new owners.

The Public Toilets continue to be clean, tidy and well maintained. The decision to install CCTV ~~has reduced the incidence of vandalism and perhaps just as important almost eliminated the~~ anti-social behaviour which was so prevalent in the Alice Littler Park and around the Old Station Building during the summer of 2017.

The Fleming Hall has had another year of success with a surplus of income at £1,576.58. Bookings remain good with a growing demand for weekend functions. During the year we bought new tables, compliments of [redacted] who celebrated a special birthday in November. New flooring for the Committee Room and kitchen, along with improved shelving in the kitchen cupboard, are programmed in early course. Spirit of Speyside Whisky Festival remains a good source of income for Hall funds and in 2018 we had an evening of traditional Scottish music and a Ceilidh. Speyside Visitor Centre hosted Whisky Masterclasses but, regrettably, the Sunday competition in the Park was most disappointing.

Aberlour Community & District Pipe Band continues to progress with the Band performing at more events during 2018. The Financial Statement shows a healthy position assisted by a generous anonymous donation. The pipe-major is retiring so the search is on for a replacement to, hopefully, continue the progress being made in developing this relevantly young band.

The sterling work of [REDACTED] with the floral arrangements around the Village makes Aberlour a bright colourful destination for the many visitors we see. The forthcoming festive season should be a bit brighter with the additional lights purchased with aid of Money for Moray funding.

The increase in Putting income is welcomed and was enjoyed by many of our visitors during the summer. Joint participation with Edinville Community Hall Council in the Ride the North event provides good income towards the Fleming Hall. This year catering was provided for over 1,000 people which included the management team in addition to approx. 950 cyclists. *(The 2017 Ride the North event generated £1,793.42 towards Fleming Hall funds)*

[REDACTED] once again, put her organisational skills to excellent use and made a very enjoyable Village Party happen.

Work is underway to create a Website for Speyside Visitor Centre. [REDACTED] are working with [REDACTED] Webmaster on the project.

Moving forward we will meet new challenges.

We are under threat of losing the £3,000 Grant + a further £534 in janitorials from The Moray Council for the Public Toilets maintenance. The possibility of putting on 'pay as you go' locks has been investigated but this would cost £2,450 per lock

Current discussions with The Moray Council over the future of the Alice Littler Park, if successful, will place further financial obligations on the Association.

However, I am satisfied, given our past track record that this Association has the resilience and initiative to meet and overcome these challenges.

As already stated, we have had a busy year, but this has only been possible with a lot of hard work and diligence by a number of people – Trustees, Volunteers in the Old Station Tearoom and Speyside Visitor Centre as well as those who helped with floral work, litter pick etc. To all who have been involved I would like to say THANK YOU on behalf of the Association and Village.

---

Chairman

November, 2018

# Aberlour Community Association

SCIO Registered Number SC009817

## Financial Statement for the Year ended 30th September, 2018

Fund	2017	Income	2018	2017	Expenditure	2018
General Fund	79.20	Fund Raising	211.50	67.29	Fund Raising Expenses	
	120.00	Donations	2,000.00	172.88	Floral Projects / Park etc	
	129.77	Putting	248.70	400.00	Tftr to Other Accounts	1,460.33
	1,068.32	SSWF X Entry (Sundry)		732.66	Insurance	220.20
	400.00	Cardwell Family X Entry		171.65	Electricity	250.99
		Sundry Income		274.99	Subs / Photocopying / Adverts	
					Remembrance Wreath	
					Park Expenses	
	3,000.00	Public Toilets	3,000.00	3,612.00	Public Toilets	£2,864.00
	2,000.00	Tftr from Troom / SVC	4,500.00	2,712.15	Maintenance	£3,744.06
				1,242.96	Repairs	£520.11
				1,068.32	SSWF	
			2,329.50	Sundry Expenses	399.90	
			16,575.00	Pauls Hill Windfarm		
			9,960.20		9,459.68	
Fleming Hall				2,220.00	Hall Keeper Gratuity	2,220.00
	4,389.00	Hall Lets	6,632.00	424.75	Repairs / Maintenance	1,404.50
	3,536.02	Fund Raising	2,396.12	4,986.20	Heating / Lighting / Cleaning	5,014.07
	1,085.00	Grants Received			SSWF	3,913.26
		Donations	1,670.00	1,231.28	Fund Raising Expenses	639.95
		SSWF	6,455.09		Hall Refurbishments	
	447.18	Sundry Income		510.22	Equipment Purchased	1,316.29
	4,000.00	Pauls Hill Wind Farm		998.83	Insurance	1,053.56
		MFCHA			Hall Rent	
		Rent Refund		239.28	Sundry Expenses	15.00
		Transfer from General Fund		17,153.21		15,576.63
Community Enhancement & Gardens Project				892.37	Plants form TMC - Greenfingers	916.30
	1,553.74	Donations			Fertilizer / Compost	160.83
		Hanging Baskets				
		Tftr from General Fund		260.74	Purchase of Flowers etc	1,077.13
	Fund Raising	0.00				
			27,113.41	41,123.07	Carried Forward	26,113.36



**Financial Statement for the Year ended 30th September 2018 - Page 2**

	39,133.23	27,113.41	41,123.07	26,113.35
<b>Playpark Fund</b>	<i>Brought Forward</i>		<i>Brought Forward</i>	
	Donations		Bark & Climbing Wall Maintenance	
	NO TRANSACTIONS	0.00	NO TRANSACTIONS	0.00
<b>Christmas Lights Appeal</b>	355 58		Purchase of Lights / Fittings	1,946 58
	Fund Raising Donations	420 50		
	Money for Money Grant	2,460 98	945 05	758 21
			Repairs / Maintenance Fundraising Costs	
		2,881.48	Sundry	2,704.79
<b>The Old Station Tea Room</b>	5,181 17		477 18	1,052 59
	Teas, Coffees etc	5,943.21	Catering Supplies	
	Whisky Festival	312 80	Tir to General Account	2,000 00
	Use of Tearoom	1,150 00	121 56	150 00
	P H Windfarm		Repairs & Maintenance Sundry	29 95
	74 50	2,000 00	Equipment Purchases	
	Donations		Cleaning etc	8,989 96
	Tir from Visitor Centre		Renovations of Sin Bldg	
	Sundry	56 50	Distribution of Funds	12,222.50
<b>Speyside Visitor Centre</b>	42 70		749 51	701 00
	Sponsorship Donations	60 00	Utilities	
	816 35	1,016 57	840 20	609 79
	Donations Box		Purchases for resale	
	1,414 50	1,976 52	Consumables & Stationery	
	Cash Sales	6,255 00	Promotional Material	564 10
	415 00	300 00	Repairs & Maintenance	191 00
	Use of Visitor Centre		Subscriptions	
	SSWF		Legal Fees re CAT	358 50
			327 50	2,500 00
	279 00	358 50	SSWF	3,337 23
	298 46		4,250 00	
	SSWF - Sales		Transfers to Other Accounts	
	Tir from General Fund		129 99	348 50
	Sundry		Capital items	
		9,966.69	348 46	8,610.12
			Sundry	
	60,385 49	49,423.99	68,322 65	49,650.76

Financial Statement for the Year ended 30th September, 2018 - Page 3

Aberlour Community & District Pipe Band	60,385.49	Brought Forward	49,423.99	68,322.66	Brought Forward	49,660.76
	800.00	Weekly Dues	276.00	664.20	Purchase of Equipment	997.19
	1,782.50	Fundraising	2026.90		Purchase of Tartan	900.00
	640.42	Donations	6,190.00	370.00	Killmaker / Waistcoat Fees	954.20
	568.00	Performance Fees	1,318.00	3,643.80	Purchase of Capes / Jackets	
	465.00	Bus Refunds	235.00	600.00	Drumming Tular	875.00
	2,300.00	Pauls Hill Windfarm			Bus Costs	730.00
	462.22	Collections	109.12	1,050.00	Fundraising Expenses	1,200.00
		Sundry Income			Hire of Fleming Hall	25.00
			10,155.02		Sundry Expenses	
	67,403.63	Total Income for the Year	59,579.01	74,650.66	Total Expenditure for the Year	55,332.15
	7,247.03	Income Deficit for the Period			Income Surplus for the Period	4,246.86
	74,650.66		59,579.01	74,650.66		59,579.01

I have examined the Books of the Association and supporting Vouchers and confirm that the above Statement gives an accurate account of the Financial State of the Association

Treasurer 24/15 - 22.8

Chairman 12/12/18

Examiner 24/11/18

# Aberlour Community Association

SCIO Registered Number SC009817

## Financial Statement Reconciliation as at 30th September, 2018

### Opening Balances as at 30th September, 2017

General Fund	£	2,253.00
Fleming Hall	£	5,175.32
Community Enhancement & Gardens Project	£	10,632.12
Playpark Fund	£	996.82
Christmas Lights Appeal	£	3,492.32
The Old Station Tea Room	£	12,288.09
Speyside Visitor Centre	£	4,734.71
Aberlour Community & District Pipe Band	£	6,868.50
<b>Total Balances</b>	<b>£</b>	<b>46,440.88</b>
<b>Surplus / (Deficit) for Period</b>	<b>£</b>	<b>4,246.86</b>
<b>Closing Funds as at 30th September, 2018</b>	<b>£</b>	<b>50,687.74</b>

2017

### Closing Balances as at 30th September, 2018

General Fund	£2,753.61	£ 2,253.00
Fleming Hall	£6,751.90	£ 5,175.32
Community Enhancement & Gardens Project	£9,554.99	£ 10,632.12
Playpark Fund	£996.82	£ 996.82
Christmas Lights Appeal	£3,669.01	£ 3,492.32
The Old Station Tea Room	£9,528.10	£ 12,288.09
Speyside Visitor Centre	£8,091.18	£ 4,734.71
Aberlour Community & District Pipe Band	£11,342.13	£ 6,868.50

### Total Balances

£50,687.74

£ 46,440.88

Treasurer

✓ Chairman

Examiner

24-10 2018

12/12/18

24/11/18



## Treasurer's Report

Period ended 30 September 2018

We end the year with total funds of £50,687.74 having made an overall Income Surplus of £4,427.06 for the period. The main influence on the financial outcome was receipt of generous anonymous donations. Totalling £10,000 .  
At this time we have items in stock with a sale value of £1,173.00 + Whisky Display estimated at £850.00. Details are given in Section 6 of this Report.

### General Fund

The main activity on the General Account this year was the maintenance etc involved with the Old Station Building.  
Management of the Public Toilets is now a feature and an Annual Grant of £3,000 was received from The Moray Council to partly cover the total outlays of £7,128.17. Payment of the £3,000 Grant + Janitorials from The Moray Council is under threat and loss of this will have a severe effect on our overhead costs. Vandalism costs have reduced since installation of CCTV equipment. Utility costs show a large increase and this is due to metering problems with the Gas Supply. However, as new Contracts have been agreed for Gas and Electricity we should see lower costs moving forward. The Building is exempt from Water Rates.

### The Fleming Hall

From a 'trading' point of view the Hall has operated at a Surplus of £1,576.58 during the period. Our major fund raiser is the Spirit of Speyside Whisky Festival and the 2018 Event proved more profitable than 2018. Fewer Events with lower Costs and better Income gave a net Surplus in the region of £2,541.83. Capital expenditure items must be looked at separately for funding purposes as we do not have much room to manoeuvre from normal cash-flow.

### Community Enhancement Fund and Gardens Project

The Community Enhancement element carries a Capital amount of £1,430.36 that can be used for Capital spending floral / trees / etc. Spending on flowers and plants is down this year by £75.98. No Donations received.

### Play Park Fund

There were no financial transactions during the period.

### Christmas Lights Appeal

The Fund benefitted by £420.50 from the Collection at Aberlour Strathspey Highland Games. A successful bid to Money for Moray (Participatory Budgeting) brought in a Grant of £2,460.98 for the purchase of additional lights.  
Repair costs are lower by £186.84 at £758.21.

### The Old Station Tea Room

Income from Teas etc shows an increase of £762.24 which is satisfactory given the the Facility opened afternoons only. There were no 'missed' days during 2018 and the decision to open earlier and close earlier in the year proved worthwhile. £8,989.96 was spent to complete the renovations which have helped to increase usage by outside parties.  
Altogether the Tearoom has had a successful year but we do face difficulties in recruiting new younger Volunteers and it may be that a review of how we operate the facility is required.

**Speyside Visitor Centre**

A return visit by the Suntory scientists from Japan gave a major boost in income by £5,985 and we are hopeful that we will see further use of the Visitor Centre by this source. Income from cash sales and donations increased satisfactorily by some 34%. Very little of the telephone liability relates to actual telephone calls, being landline rental and Broadband Service.

If we extract the 'one off expenses' and the Japanese income the Facility traded to an £1,207.70 Surplus this year.

**Aberlour Community & District Pipe Band**

A separate Treasurer's Report is provided

**Summary**

As the Closing Balances show on the Reconciliation Statement we remain liquid and in a healthy financial position. This has been achieved by close control of our finances and many hours of hard work fundraising. Looking forward challenges await, not least possible funding cuts in Local Authority Funding as the Authority looks to place more and more responsibility for day to day services on local Communities.



Treasurer

October 2018

Chartertown of Aberlour



14 September 1812

# Aberlour Community Association

Scottish Charity Registered Number: SC009817

## STOCK IN HAND (Sale Price)

30<sup>th</sup> September, 2018

Pin Badges	80	£240
Ties	8	£132
Scarves	11	£ 242
Fishing Hooks	28	£ 84
Mouse Mats	1	£ 8
Dishes	18	£ 27
Pop up cards		£ 35
Notelets		£ 30
Maps		£ 15
Notelets		£ 60
SSWF Nosing Glasses		£ 30
DVDs – Speyside Way & Railway		£270
		<hr/>
		£1,173
Whisky Display		£850
Napkins		

**Aberfoyle Community Association**

SCIO Registered Number SC009817

**Fleming Hall Fund**

**Financial Statement for the Year ended 30th September 2018**

2017		2018		2017		2018	
General Income		General Income		General Expenditure		General Expenditure	
4,389.00	Hall Lets	6,632.00		2,220.00	Hallkeeper's Gratuity	2,220.00	
	Donations	1,670.00		998.83	Insurance	1,063.56	
	Spirit of Speyside Whisky Festival	6,455.09		15.00	Subscriptions	15.00	
3,536.02	Fund Raising	2,396.12		4,626.64	Advertising	5,014.07	
447.18	Sundry Income			359.56	Heating & Electric	3,913.26	
	Rent Rebate			424.75	Spirit of Speyside Whisky Festival	1,404.50	
				1,231.28	Cleaning Materials	639.95	
					Routine Maintenance / Repairs		
8,372.20	Total Operating Income	17,153.21			Fund Raising Expenses		
				224.28	Rent		
750.00	Transfer from General Funds			224.28	Sundry		
	Grants received			10,100.34	Total Operating Expenditure	14,260.34	
4,000.00	Pauls Hill Windfarm				Capital Expenditure		
	Donations					0.00	
	Alice Little Mem Tsl						
	Old Station Tearoom						
1,050.00	Aberfoyle Comm & Dist P/Band			510.22	Equipment Purchased		
35.00	Anonymous				Tables	1046.30	
	Arndilly Trust				Freezer	269.99	
14,207.20	Total Income during the Year	17,153.21				1,316.29	
	Income Deficit for Period			10,610.56	Total Expenditure during the Year	15,576.63	
14,207.20		17,153.21		3,596.64	Income Surplus for the Period	1,576.58	
				14,207.20		17,153.21	

I have examined the Books and Financial Records with supporting Vouchers and confirm that the above noted is an accurate record of transactions

Treasurer 29/10/18

Chairman 12/12/18

Examiner 23/11/18

# Aberlour Community Association

SCIO Registered Number : 9C009817

## The Fleming Hall

Funds Statement for Year ended 30th September 2018

	<u>2018</u>	<u>2017</u>
Opening Funds at start of Period		
Bank Current Account	£5,175.32	£1,578.68
		<u>£1,578.68</u>
Income Surplus (Deficit) for the Period	£1,576.58	£3,596.64
	<u>£6,751.90</u>	<u>£5,175.32</u>
Closing Funds at end of Period	£6,751.90	£5,175.32
	<u>£6,751.90</u>	<u>£5,175.32</u>
Total Funds	<u>£6,751.90</u>	<u>£5,175.32</u>

Treasurer 29/10/18

Chairman 12/12/18

Examiner 29/11/18




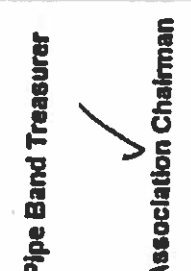
# Aberlour Community & District Pipe Band

Scottish Charity Registration No. SC009817

## Financial Statement for Period ended 30th September 2018

Income		2017	2018	Expenditure	
800.00	Weekly/Annual Dues		276.00	3,643.80	Purchase of Capes and Jackets
1,782.50	Fund Raising		2026.80	1,050.00	Hire of Fleming Hall for Practice Sessions
568.00	Performance Fees		1318.00	370.00	Kitmakers and Waistcoat Fees
465.00	Bus Refunds		235.00	600.00	Bus Costs
2,940.42	Donations		6180.00		Purchase of Tartan
462.22	Collections		109.12		Fundraising Expenses
					Sundry
7,018.14			10,155.02	5,663.80	
				664.20	Equipment
				6,328.00	
0	Income Deficit for Period			690.14	Income Surplus for Period
7,018.14			10,155.02	7,018.14	
					4,684.20
					997.19
					5,681.39
					4,473.63
					10,155.02

I have examined the Books and Financial Records with supporting Vouchers and confirm that the above noted is an accurate record of transactions

Pipe Band Treasurer  18.10.18  
 Association Chairman  12/12/18

Examiner  22/11/18

# Aberlour Community & District Pipe Band

Registered Number : SC009817

## Funds Statement for Period ended 30th September 2018

	<u>2018</u>	<u>2017</u>
Opening Funds at start of Period		
Bank Current Account	£6,868.50	£6,178.36
Income Surplus (Deficit) for the Period	£4,473.63	£690.14
	<u>£11,342.13</u>	<u>£6,868.50</u>
Closing Funds at end of Period	£11,342.13	£7,153.50
Cash Payment Withdrawn from Bank Account on 9th July 2018		£285.00
Total Funds	<u>£11,342.13</u>	<u>£6,868.50</u>

Treasurer *15.9*

Chairman *12/12/18*

Examiner *22/11/18*

Charlestown of Aberlour



# Aberlour Community and District Pipe Band

Scottish Charity Registered Number: SC009817

## Treasurers Report Period ended 30<sup>th</sup> September 2018

During the year from 1st October 2017 until 30th September 2018 the total income for Aberlour Community and District Pipe Band was £10,155.02.

Performance fees for the band playing at Aberlour and Naim Highland games in 2017 and Gordon Castle, Dufftown, Aberlour and Forres Highland Games in 2018 raised a total of £1,318.00 and we also received a bus refund of £235.00 for travel to and from Forres Highland Games in 2018. Learning member dues raised a total of £276.00. Funds raised throughout the year totalled £2,026.90 (a Black Tie Event in October 2017 generated £1003.00 from Door Ticket and Raffle Ticket sales, Sales of Quiz Sheets by [REDACTED] throughout the year generated a total of £468.90 and a total of £555.00 was raised on the Bottle Stall at Aberlour Highland Games). This year the band received very generous donations of £5,000.00 from an anonymous source, £110.00 for the band playing at The Walk in 2017 and £80.00 for playing at the Crooks wedding in December 2017. The pipe band collected a total of £109.12 during practice sessions at Aberlour Square and at the Craigellachie Hotel.

The total spend during the year was £5,681.39. £954.20 was spent on fees for Kiltmakers and Jackets and Waistcoats for band members. Bagpipe Bag Covers and Cords were purchased for £433.30 and the purchase of Drone Reeds and Chanters Reeds totalled £344.54. New Piper socks totalled £116.22 and eight sets of Snare Sticks were purchased for £104.13. Bus costs totalling £875.00 provided transport to and from Naim Highland Games in 2017 as well as Forres and Naim in 2018. A deposit of £900.00 was paid to Locharron Woolmill for the purchase of tartan. The Black Tie Event in October 2017 generated expenses of £730.00 (~~Hire of Band £400.00, Hire of Grant Hall Rothes £180.00 and Door Security £150.00~~). Sundry Costs of £25.00 paid for delivery of band members new jackets. Finally £1,200.00 was paid to the Aberlour Community Association for the hire of the Fleming Hall for once weekly practice sessions.

Overall we have had a very successful year financially with the available funds balance sitting at £11,342.13 on the 30th September 2018.

[REDACTED]  
Treasurer  
October 2018

# Independent Examiner's Report on Accounts

## Aberlour Community Association

SCIO Registered Number SC009817

For the Year ended 30<sup>th</sup> September, 2018

My examination is carried out in accordance with Regulation 11 of the Charities Accounts (Scotland) Regulations 2006. An examination includes a review of the Accounting Records kept by the Charity and a comparison of the Accounts presented with those records. It also includes consideration of any unusual items or disclosures in the Accounts and seeks explanations from the Trustees concerning any such matters. The procedures undertaken do not provide all the evidence that would be required in an audit and, consequently, I do not express an Audit Opinion on the Accounts.

In the course of my examination, no matter has come to my attention

1. Which gives me reasonable cause to believe that in any material respect the requirements

- a) To keep Accounting records in accordance with Section 44(1) (a) of the Charities and Trustee Investment (Scotland) Act 2005 and Regulation 4 of the 2006 Regulations
- b) To prepare Accounts which accord with the Accounting Records and comply with Regulation 9 of the 2006 Regulations

have not been met, or

2. To which, in my opinion, attention should be drawn in order to enable a proper understanding of the Accounts to be reached

Signed: [REDACTED]

Date: 29/11/18

Name: [REDACTED]

Professional Qualifications (if any): [REDACTED]

Address: [REDACTED]

Aberlour Community Association Alice Littler Park Community Asset Transfer Projected Costs Jun-19

Scottish Charitable Incorporated Organisation Registered Number: SC009817

Year to 30th Sept	Oct	Nov	Dec	Jan	Feb	Mch	Apr	May	Jun	July	Aug	Sept	Total
<b>2020</b>													
Insurance							£ 705.00						£ 705.00
Grass Cutting							£696.00	£696.00	£ 696.00	£696.00	£696.00	£ 696.00	£ 3,480.00
Putting Green							£ 40.00	£ 40.00	£ 40.00	£ 40.00	£ 40.00	£ 40.00	£ 200.00
Spike & Fertilise							£1,150.00			£120.00			£ 1,150.00
Shrub Maintenance													
<b>sub Total</b>							£1,855.00	£736.00	£ 736.00	£856.00	£736.00	£ 736.00	£ 5,535.00
<b>Capital Costs</b>													
Agents fee									£ 900.00				£ 900.00
Disbursements									£ 240.00				£ 240.00
Selling Agents Fee									£ 600.00				£ 600.00
Land Registry Fee									£ 200.00				£ 200.00
<b>Costs for 2020</b>							£1,855.00	£736.00	£ 2,676.00	£856.00	£736.00	£ 736.00	£ 7,595.00
<b>2021</b>													
Insurance							£ 705.00						£ 705.00
Grass Cutting							£720.00	£720.00	£ 720.00	£720.00	£720.00	£ 720.00	£ 3,600.00
Putting Green							£ 40.00	£ 40.00	£ 40.00	£ 40.00	£ 40.00	£ 40.00	£ 200.00
Spike & Fertilise							£1,250.00			£130.00			£ 1,250.00
Shrub Maintenance													£ 130.00
<b>Total</b>							£1,955.00	£760.00	£ 760.00	£890.00	£760.00	£ 760.00	£ 5,885.00

Year to 30th Sept	Oct	Nov	Dec	Jan	Feb	Mch	Apr	May	Jun	July	Aug	Sept	Total
<b>2022</b>													
Insurance							£ 705.00						£ 705.00
Grass Cutting							£750.00	£750.00	£ 750.00	£750.00	£750.00	£ 750.00	£ 3,750.00
Putting Green							£ 40.00	£ 40.00	£ 40.00	£ 40.00	£ 40.00	£ 40.00	£ 200.00
Spike & Fertilise							£1,400.00			£140.00			£ 1,400.00
Shrub Maintenance													£ 140.00
<b>sub Total</b>							£2,105.00	£790.00	£ 790.00	£930.00	£790.00	£ 790.00	£ 6,195.00





*14 September 1812*

# *Aberlour Community Association SCIO*

Scottish Charity Number: SC009817

## **ACA CAT: List of Appendices**

**Appendix 1: Historic Panels Concerning the Establishment of the Alice Littler Park**

**(Figures 1, 2, 3 and 4)**

**Appendix 2: ACA CAT Public Consultations 2018 & 2019**

**Appendix 3: Speyside Visitor Centre Visitor Book References to the Alice Littler Park**

**Appendix 4: Letter from [REDACTED] dated 11/8/17**

**Appendix 5: Speyside Visitor Centre Visitor Numbers, 2014-2018**

**(Figures 1 and 2)**

**Appendix 6: Letters of Support for ACA CAT**

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*14 September 1812*

# *Aberlour Community Association SCIO*

Scottish Charity Number: SC009817

## **APPENDIX 1**

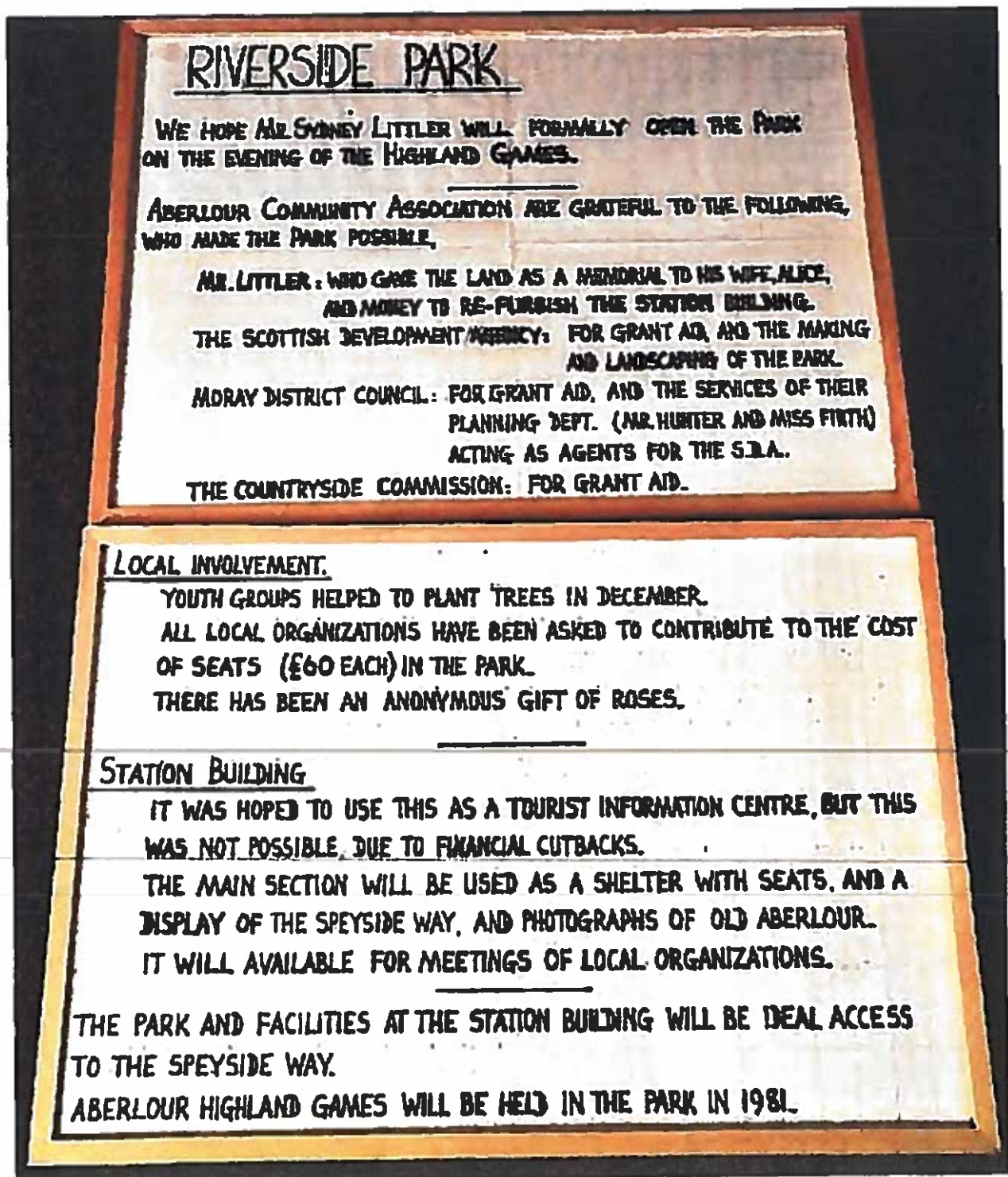
### **ACA CAT: Historic Panels Concerning the Establishment of the Alice Littler Park**

**(Figures 1, 2, 3 and 4)**

Four commemorative framed panels made by Aberlour Community Association have been preserved dating from the original establishment of the Alice Littler Park in 1979-80, as well as one commemorating the opening of the Old Station building. These enshrine the communal principles behind Sydney Littler's bequest of the park to the village – principles which have shaped the present ACA CAT application. It's interesting to note that the aim to transform the Old Station into a 'tourist information centre', thwarted due to financial cutbacks at the time, has since been realised with the establishment of the Speyside Visitor Centre through a CAT in 2016. The panels also provide an accurate summary of the principal costs of the original project as well as a precise hand drawn map of the specific area of land concerned, recording details of the local donors of 14 trees planted along the side of the river, embracing groups and individuals drawn from all walks of life. The final panel commemorates the official opening of both the ALP and the Old Station building on 2 August 1980 by Sydney Littler. The panels have recently been refurbished by the Alice Littler Memorial Trust in order that they may be returned to public display within the old station buildings in time for the start of the 2019 tourist season.



Figure 1: Outline of Establishment of 'Riverside Park' (The Alice Littler Park), incorporating panels 1 and 2



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Transcript of Text:

Riverside Park

We hope Mr. Sydney Littler will formally open the Park on the evening of the Highland Games.

Aberlour Community Association are grateful to the following, who made the Park possible,

**Mr Littler: who gave the land as a memorial to his wife, Alice, and money to re-furbish the station building. [emboldened in original]**

The Scottish Development Agency: for Grant Aid, and the making and landscaping of the Park.

Moray District Council: for Grant Aid, and the services of their Planning Dept. (Mr. Hunter and Miss Frith) acting as agents for the S.D.A.

The Countryside Commission: for Grant Aid.

Local Involvement

Youth groups helped to plant trees in December.

All local organizations have been asked to contribute to the cost of seats (£60 each) in the park.

There has been an anonymous gift of roses.

Station Building

It was hoped to use this as a tourist information centre, but this was not possible, due to financial cutbacks.

The main section will be used as a shelter with seats, and a display of the Speyside Way, and photographs of old Aberlour.

It will [be] available for meetings of local organizations.

The park and facilities at the station building will be ideal access to the Speyside Way.

Aberlour Highland Games will be held in the park in 1981.

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Figure 2: Break-Down of Costs of Establishment of the Alice Littler Park

<u>BREAK-DOWN OF COSTS</u>	
<u>RIVERSIDE PARK</u>	
LAND DONATED BY MR. LITTLER	
SCOTTISH DEVELOPMENT AGENCY	£ 113,240
<u>STATION RENOVATION</u>	
ALICE LITTLER TRUST	8,717
MORAY DISTRICT COUNCIL	5,929
COUNTRYSIDE COMMISSION	11,532
TOTAL	<u>£ 139,418</u>

Transcript of Text:

Break-Down of Costs

Riverside Park

Land donated by Mr. Littler

Scottish Development Agency    £113,240

Station Renovation

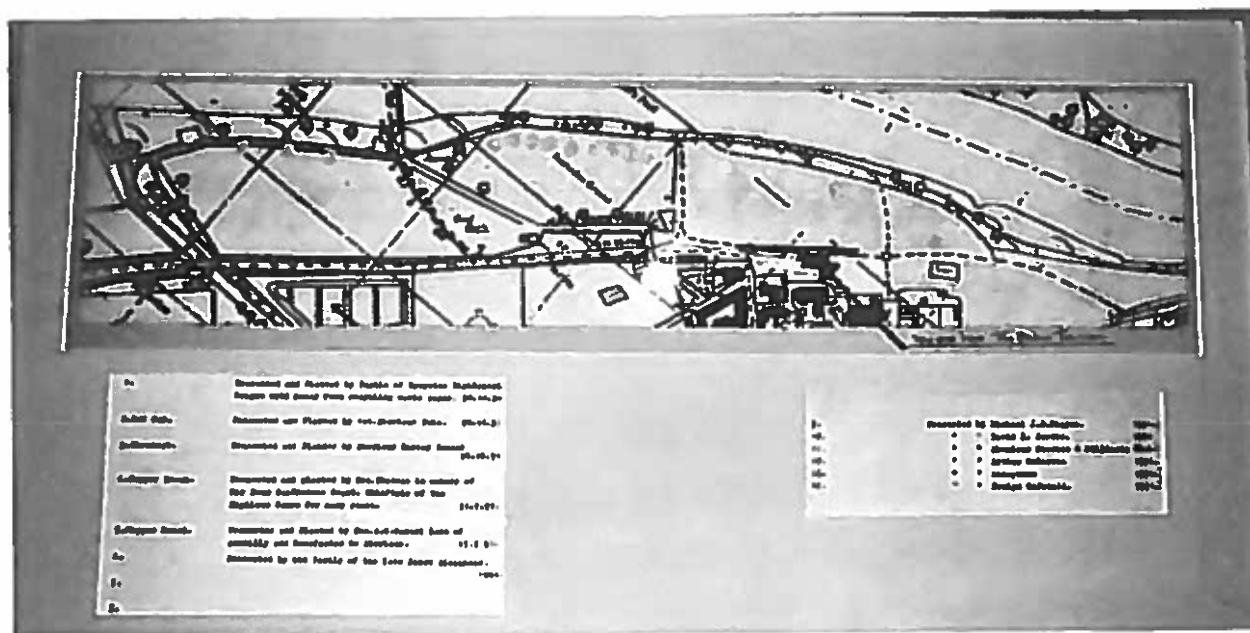
Alice Littler Trust                    £8,717

Moray District Council                £5,929

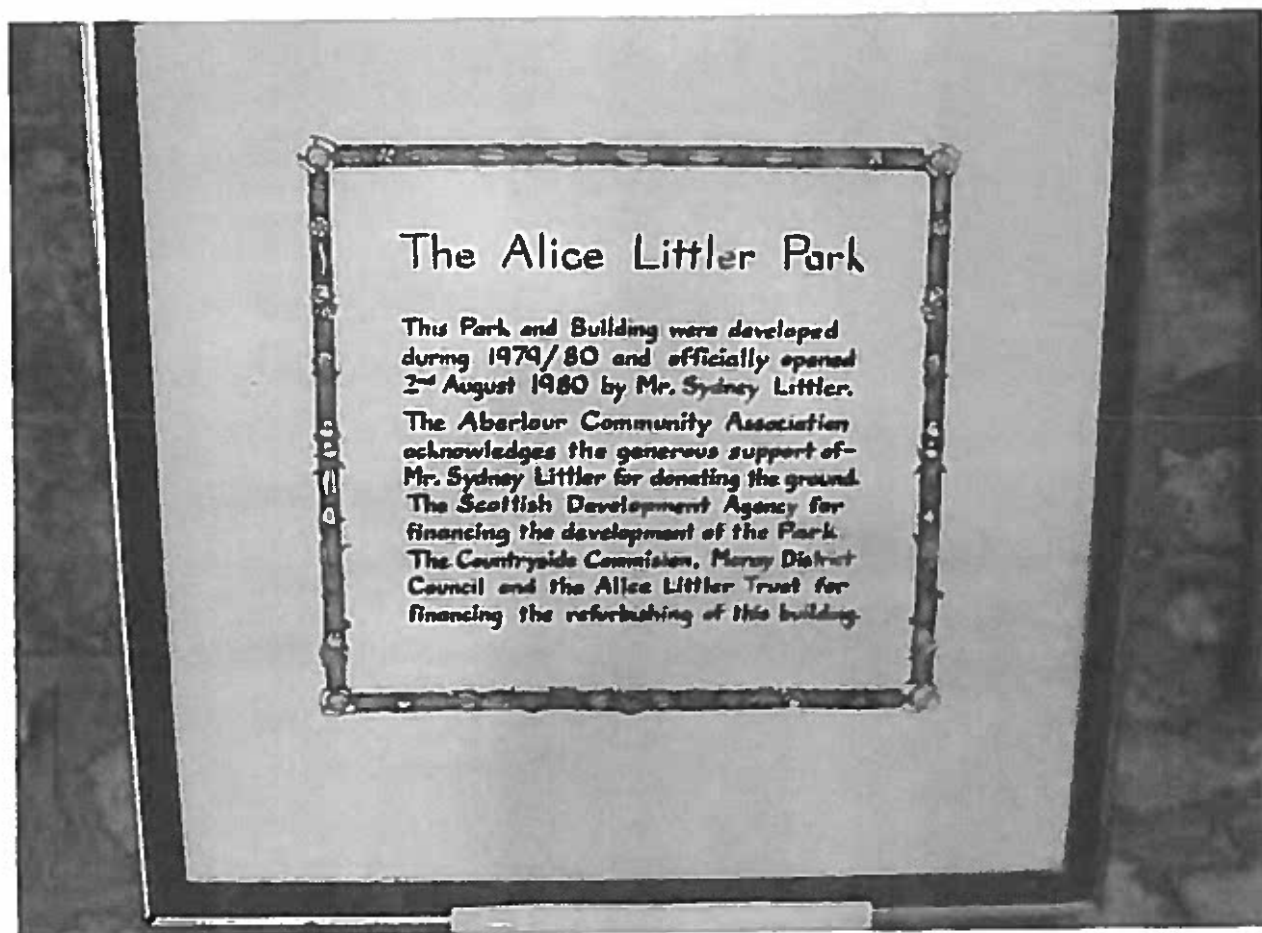
Countryside Commission              £11,532

Total                                        £139,418

**Figure 3: Manuscript Map Detailing Original Area of the Alice Littler Park**



**Figure 4: Panel Commemorating the Official Opening of the Alice Littler Park and the Old Station Building**



**Transcript of Text:**

**The Alice Littler Park**

This Park and Building were developed during 1979/80 and officially opened 2<sup>nd</sup> August 1980 by Mr. Sydney Littler.

The Aberlour Community Association acknowledges the generous support of Mr. Sydney Littler for donating the ground.

The Scottish Development Agency for financing the development of the Park.

The Countryside Commission, Moray District Council and the Alice Littler Trust for financing the refurbishing of this building.



14 September 1812

# *Aberlour Community Association SCIO*

Scottish Charity Number: SC009817

## **APPENDIX 2**

### **A ACA CAT: Public Consultation July/ August 2018**

In order to gauge local response to the proposed CAT, ACA conducted a Public Consultation exercise, run from the second Memories Day held at the Speyside Visitor Centre on Sunday 29 July through to the week following Aberlour Speyside Highland Games, held on Saturday 4 August, a window of some two weeks' duration.

The Consultation was advertised by means of a public notice placed in *The Northern Scot* on Friday 27 July, as well as via posters displayed at the Old Station buildings and the local library.

The consultation took the traditional form of an individual written response to be entered on a photocopied A5 sheet (see template below), to be posted in a box displayed in the Speyside Visitor Centre. On Games Day, two independent helpers were recruited to inform local visitors attending the Games of the consultation being carried out, together with a further survey being done concurrently concerning public transport in Speyside.

# 1: Consultation Form Template

*Charterhouse of Aberlour*



*14 September 1812*

## *Aberlour Community Association*

SCIO Registered Number: SC009817

July/August 2018

### **The Alice Littler Park – Public Consultation**

Aberlour Community Association is submitting a Community Asset Transfer to The Moray Council to takeover ownership of part of the Alice Littler Park for the Village, extending from the Southern lying Mound up to the Sandy Hole to the North (see aerial photograph) Aberlour Community Association proposes to retain this area in its present layout. General improvements to Pathways etc are proposed

Do you agree with this proposal?	YES	NO
Please give your comments (continue overleaf if necessary)		

**How often do you use the Alice Littler Park?**

**What do you use it for?**

**What do you like about the Park?**

**What could be better?**

**Please state your place of permanent residence**

*Thank you for taking part*

## 2: Collation of Responses

The total number of responses was 137.

Responses to the question 'Do you agree with this proposal?'

YES: 136

NO: 1

Of the Yes responses, 11 simply entered a tick in the box without making any comment, while 12 ticked the box without adding anything beyond signature or place of residence.

The consultation was targeted at the local community, with several responses simply entering 'local' as their place of permanent residence, although a few stray responses came from the surrounding area (namely Elchies, Craigellachie, Edinville, Knockando, Dufftown, Ballindalloch, Fochabers, Keith, Buckie, Elgin, Urquhart, Kinloss, Cromdale, Grantown and Tomintoul), as well as from further afield (one each from Stonehaven, Edinburgh, Huddersfield and London).

A total of  $25+22+8+7+8+6 = 76$  (55%) of the respondents directly stated that they are residents of Aberlour.

More than half of the respondents (78 = 57%) indicated that they use the Park on a regular basis. The respondents can be broken down as follows according to the frequency of their stated visits to the Park:

A Frequent Users (twice daily/daily/3-4 times per week/'very often'):	28 (20%)
B Regular Users (weekly/fortnightly/twice per week/'regularly'/'lots'):	37 (27%)
C Popular Users (monthly/'often'/'quite a lot'):	13 (10%)
D Occasional Users (seasonally/'a few times a year'/'sometimes'/'now and then'):	19 (14%)
E Unspecified Users:	17 (12%)

Categories A, B and C are most germane to the present application, collectively embodying the viewpoints of the park's regular footfall.

Key themes emerging are as follows:

A Frequent Users



Responses to the questions list 'relaxation', 'leisure' and 'recreation' as the general purpose of use, with 20 specifying walking, including dog walking. Several mentions are made of family activities, involving picnicking and playing with grandchildren (including one who is disabled), and odd references are made to bird-watching and cycling. Specific likes mentioned about the park mostly revolve around the natural setting and the attendant sense of space, peace and tranquillity, gaining 21 individual citations. 5 people stated that it was the perfect amenity, with one additional respondent going so far as to observe that it 'encompasses all of Speyside character'. Suggested improvements are entered in 8 individual responses: 2 comment on lingering problems left over from installation of the storm tank; 4 mention improvements needed to the paths (1 making particular reference to improving access for wheelchair users and older visitors); 1 pinpoints an area needing tidying; 1 makes a pointed criticism of the hedges near the Mash Tun; and 1 makes the general observation that 'It's all starting to look a wee bit tired.'

### B Regular Users

Over and above generalised descriptions of recreational use made of the park, again the most popular responses, 21 in number, list walking as their use. A further 7 responses refer to family recreation. Specific likes about the park concentrate again on the beautiful natural setting (21 references) and on the peaceful ambience and spaciousness (12 references). In terms of suggestions for improvements, the vast majority of respondents have left the space blank, while 8 have stated that 'nothing' could be better, while 2 have pleaded 'Leave well alone!' There are 6 suggestion for improvements: 2 comment on the poor drainage; 1 asks for 'better paths'; 1 asks for it to be 'fenced off due to river'; 1 makes a general comment that it 'could be more tidy'; and 1 asks specifically for 'more dog poo bins'.

### C Popular Users

Uses stated include general 'leisure' and 'recreation', while 6 specify walking, with single mentions each made of family games, picnicking, cycling and running. As before, likes tend to concentrate upon the beauty of the setting: 3 people make specific reference to the riverside location; 6 cite the peace and beauty of the area; the putting green and the Tea Room are each singled out for special praise; and 1 simply states the fact that it is a 'community asset'. The question concerning possible ways of making the Park better is usually left blank, with 2 people writing in the word 'Nothing'. Only 1 proposal is offered for improvement, concerning 'disabled access/ wider paths'.

### D Occasional Users & E Unspecified Users

While Categories D and E may be considered generally to fall outwith the formal orbit of a consultation exercise principally targeting the local population, it's worth noting that very similar patterns of response emerge here too. Comments understandably are shorter, but similar uses are stated for respondents (leisure and recreation/ walking [12]/ picnicking); likes again centre upon the beautiful setting and the peaceful ambience (20 in total), with odd comments on its cleanness and safeness; and 2 suggestions are made for possible improvements, to have 'smoother walks' (presumably referring to the paths), and for 'updated play areas', probably referring to the children's playpark, which is not included in the present CAT application.

Recurring positive comments highlight:

- Nature/ beauty/ setting: (17+16+9+10+8): 60 (44%)
- Peace/ space/ panorama/ ambience: (17+19+2+5+3): 46 (34%)
- No improvements needed: 11+12+4+9+4 (40 stated) + 9+17+8+8+12 (54 left blank): 94 (69%)

Total suggestions for improvements amount to 20 in total, one of which is not relevant, leaving a final total of 19 pointers (14%), centring on:

- Paths & access  $4+2+1+1+0 = 8$  (6%)
- Poor drainage  $2+2+0+0+0 = 4$  (3%)
- Untidiness  $3+1+0+0+2 = 6$  (4%)

Single references are made to occasional signs of vandalism, need for more dog poo bins, and play areas requiring updating (presumably referring to children's play area).

The NO respondent lists his/her permanent place of residence as Aberlour and uses the Park 'lots', for 'recreation'. The respondent states that he/she likes the 'location' but that unspecified improvements are needed to 'play/seating/fencing'. The Comment appears to condemn the fundamental principles underpinning the consultation, described as 'ill informed', and criticises the consultation for 'not making clear other interested parties', a consideration which does not fall within the stated remit of the ACA Public Consultation.

## Conclusions

The 2018 Public Consultation is not fully exhaustive, but it provides a valuable snapshot of the current feelings of the people of Aberlour regarding the Alice Littler Park.

Assuming that the results are reflective of the opinions of the people of Aberlour as a whole, the key conclusions that may be drawn can be summed up as follows:

- 
1. An overwhelming proportion of the people of Aberlour are committed to the overarching idea of safeguarding the future of the Alice Littler Park;
  2. The people of Aberlour are almost unanimously committed to the principle of ownership of the Park reverting to the community itself, through the ACA CAT;
  3. A significant proportion of the people of Aberlour are regular users of the Park, most prominently as a locus for recreational walking;
  4. A significant proportion of the people of Aberlour appreciate the value of the Park to the village, including visitors, as a versatile amenity that can sustain a variety of uses;
  5. A significant proportion of the people of Aberlour wish the Park to be preserved unspoilt, to maintain the natural beauty and peaceful ambience of the green space;
  6. A small proportion of the people of Aberlour wish to see improvements made to the Park, of a largely cosmetic nature.
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## **B ACA CAT: Public Consultation June 2019**

Due to the time lapse between the original ACA CAT proposal from summer of 2018 and the present application, ACA conducted a follow-up Public Consultation exercise as an up-to-date indicator of opinion regarding the current ACA CAT application. The 2019 Public Consultation exercise was done in a shorter time frame, mainly to provide a comparison with the original survey. The results emulated and confirmed those of the original exercise.

The Consultation was advertised by means of public notices displayed in the Speyside Visitor Centre and the Old Station Tearoom as well as Aberlour Library. Once again, the consultation took the traditional form of an individual written response entered on a photocopied A5 sheet (see template below), posted in a box displayed in the Speyside Visitor Centre. The principal date of the consultation was chosen to coincide with the MC Low Carbon Hub awareness promotion staged in the Arena of the Alice Littler Park on Sunday 16 June, in order to capture the cross-section of the public converging on the Park at that time, both from Aberlour and from further afield.

1: Consultation Form Template

Charlestown of Aberlour



# Aberlour Community Association

SCIO Registered Number: SC009817

14 September 1812

## The Alice Littler Park: Public Consultation, June 2019

Aberlour Community Association (ACA) is submitting a Community Asset Transfer (CAT) to The Moray Council for ownership of the Alice Littler Park, comprising the Arena, the Recreation Area (including the children's playpark, currently leased by ACA from The Moray Council), and the Car Park.

The project will involve ACA taking full responsibility for conservation and protection of the land, for maintenance of the car park and for strategic development of the Recreation Area in full consultation with official groups and bodies concerned and with key local stakeholders.

Please give your views on this proposal by ticking the relevant boxes and adding your comments as necessary:

1 Where are you from?

Aberlour	<input type="checkbox"/>
Speyside	<input type="checkbox"/>
Moray	<input type="checkbox"/>
Northeast	<input type="checkbox"/>
Scotland	<input type="checkbox"/>
UK	<input type="checkbox"/>
Abroad	<input type="checkbox"/>

**2 Are you in favour of the ACA proposal to take over ownership of the Alice Littler Park from The Moray Council by means of a Community Asset Transfer?**

<b>Yes</b>	
<b>No</b>	
<b>Comments?</b>	

**3 How often do you access the Park?**

<b>Daily</b>	
<b>Weekly</b>	
<b>Monthly</b>	
<b>Occasionally</b>	
<b>Just this time</b>	

**4 Which part(s) of the Park do you use most?**

<b>Arena</b>	
<b>Car Park</b>	
<b>Recreation Area (&amp; playpark)</b>	

**5 Please add any comments you would like to make in the box below**

--

**Thankyou for taking part in this consultation!**

## 2: Collation of Responses

The total number of responses was 59.

Responses to the question 'Are you in favour of the ACA proposal to take over ownership of the Alice Littler Park from The Moray Council by means of a Community Asset Transfer?'

YES: 58

NO: 1

Of the Yes responses, 13 people from Aberlour and Speyside chose to add their signature.

The consultation was again targeted at a local audience, with 31 responses (53%) ticking the box for Aberlour, 9 (15%) ticking for Speyside, 7 (12%) hailing from elsewhere in Moray (2 of whom specifically noted their place of residence as Forres), 3 from the Northeast and, further afield, 2 from Scotland, 2 emanating from elsewhere in the UK and 1 respondent visiting from abroad.

Responses from residents of Aberlour are most relevant to the present application, collectively reflecting the mood of the Park's main clientele.

Of the Aberlour responses, the majority stated that they were regular users of the Park: 18 (31% of the total returns) used it on a daily basis, while 11 (19%) used it weekly. Of the 9 Speyside respondees, 6 (10%) may be adjudged regular users, owing to weekly visits.

The breakdown of the statistics concerning the popularity of the three individual components of the Park indicates that for Aberlour residents, footfall is heaviest for the Arena, chosen by 24 out of 29 respondees (41% of the total), followed by 15 (25%) for the Recreation Area. For visitors from further afield in Speyside, use of the Arena still outstrips that of the Recreation Area, by a score of 4 to 1, but Moray users indicate a preference for the Recreation Area over the Arena, at 7 to 2 – a set of priorities continued with representatives from Scotland, the UK and abroad, with a score respectively of 4 to 2.

Overall, respondees from near and far still are clearly very favourably disposed towards the proposed ACA CAT application, which according to the 2019 census has certainly maintained momentum over the intervening year. It must be acknowledged, however, that increasingly the glowing positivity generated by the proposal is becoming laced with a sense of weariness creeping in at the protracted timescale that the negotiations have involved; local residents are becoming 'thoroughly scunnert', to quote one exasperated Aberlour return.

The single No respondee, a daily user of the Park from Aberlour, appears to oppose the ACA CAT for reasons falling outwith the ambit of the current proposal, as the comment focuses on criticising road maintenance and snow clearing measures in the village in the past.

Key comments recorded are set out below, from moving from local residents to visitors:

- ❖ 'An excellent idea!'
- ❖ 'It needs to be properly maintained.'
- ❖ 'It's badly needed.'
- ❖ 'Should have done it long ago.'
- ❖ 'Council not got good track record re. budgets.'
- ❖ 'Must be the way forward in this financial climate.'
- ❖ 'The officers of the A.C.A are quite capable of making a success of running the Alice Littler Park.'
- ❖ 'ACA must get ownership of the Park for the village! Thoroughly scunnert with all the delays though.'
- ❖ 'To save the park being zoned for anything and keep it in the village.'
- ❖ 'The ACA are the only people with the whole of the village at heart.'
- ❖ 'The Park is part of the Social Heritage of the village and must be returned to the community.'

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- ❖ 'Littler Trust and Aberlour residents have always looked after the Park Well.'

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- ❖ 'Lovely place keep up good work.'

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- ❖ 'This is a lovely facility, the centre, the park and the car park. Hoping your 'take-over' is successful!'
- ❖ 'Let the locals help if they are so interested and keen.'

## Conclusions

The 2019 Public Consultation is useful as a statistical indicator, largely confirming the findings of the 2018 consultation regarding the public response to Alice Littler Park itself, and to the ACA CAT application.



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Assuming again that the results are reflective of the opinions of the people of Aberlour as a whole, the main conclusions that may be extrapolated can be summed up as follows:

1. An overwhelming proportion of the people of Aberlour remain committed to the overarching idea of safeguarding the future of the Park;
  2. The people of Aberlour remain wholeheartedly committed to the principle of ownership of the Park reverting to the community itself, through the present ACA CAT application;
  3. A significant proportion of the people of Aberlour are regular users of the Arena and the Recreation Area of the Park and care deeply about its future.
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14 September 1812

# *Aberlour Community Association SCIO*

Scottish Charity Number: SC009817

## **APPENDIX 3**

### **ACA CAT: Speyside Visitor Centre Visitor Book References to the Alice Littler Park**

The volunteers at the Speyside Visitor Centre are proud of the positive verbal feedback received from visitors from home and abroad about the Centre and the Alice Littler Park (and indeed about the village and the area as a whole).

The Centre's visitors books, with comments dating back to summer of 2014, chart the overwhelmingly favourable impression that visitors receive, of Speyside as a whole, of the village of Aberlour and principally of the Centre itself. Although these by their very nature are principally general comments, innumerable references relate to the scenic beauty of the area and to the natural beauty of the setting, which clearly focuses on the immediate locale; the adjectives 'lovely', 'peaceful' and 'beautiful' recur constantly in relation to the Centre's setting.

Several testimonials pick out the putting green for special mention as one of the park's best amenities:

- 'fun putting' (25/6/17)
- 'lovely visitor centre & putting' (22/7/17)
- 'loved the putting' (3/8/17)
- 'enjoyed putting' (2/9/17)
- 'great fun with kids putting' (23/6/18)
- 'good to see a putting green' (7/7/18)

Most popularly, visitors repeatedly conflate their praise of the Centre with appreciation of the natural beauty of its immediate surroundings:

- 'beautiful setting' (22/6/14), (25/6/18)
- 'stunningly beautiful setting' (23/7/16)
- 'beautiful spot' (23/6/15), (5/8/16), (17/5/18), (7/6/18), (20/6/18)
- 'fantastic spot' (31/7/16)
- 'beautiful spot on river' (30/6/16)
- 'beautiful location' (28/4/16), (29/4/16)
- 'lovely spot' (27/6/14), (22/9/14), (11/6/15), (3/8/15), (20/9/15), (3/6/17)

- 
- 'lovely site' (26/7/16)
  - 'lovely river walk' (14/9/15)
  - 'superb location' (10/8/14)
  - 'lovely park and weather' (11/6/15)
  - 'fantastic location' (6/7/15)
  - 'an interesting centre with great views' (18/8/16)
  - 'quaint & green' (5/6/17)
  - 'lovely location & staff' (23/6/17)
  - 'beautiful riverside' (1/9/17)
  - 'lovely riverside spot' (16/7/17)
  - 'nice setting' (2/9/17)
  - 'nice location' (17/9/17)

The above comments come from visitors ranging right across the world, including New York City, New Mexico, Canada, Germany, Norway, Sweden, the Netherlands, Sydney, Western Australia, Tasmania, New Zealand, Venice, London, Nottingham, York, Utoxeter, Essex, Derbyshire, the Isle of Bute, Stirling, Aberdeen, Inverness, Huntly, Elgin, Burghead – and Aberlour itself. Comments are taken from the Centre's five extant visitors books up to 8 July 2018 in the current volume.

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[REDACTED]

11 August 2017

[REDACTED]

**Re: Alice Littler Memorial Park**

Thank you for sending me a copy of the letter sent to the First Minister regarding the ownership of the Alice Littler Park.

Please accept my apologies for the delay in getting back to you.

I've written to the Scottish Government Minister for Local Government and Housing, [REDACTED] who has responsibility for community empowerment. I've highlighted to him that the Community Empowerment Act has unintentionally removed the park from community ownership and put it into the hands of the Moray Council, which I gather neither the community nor the Council want.

I have asked that the Minister look closely at this case and have sought his advice with regards to possible solutions.

I will share the Minister's response as soon as I receive it. If I can be of further assistance in the meantime, please don't hesitate to get back in touch.

With my best wishes,

Yours sincerely,

[REDACTED]



14 September 1812

# Aberlour Community Association SCIO

Scottish Charity Number: SC009817

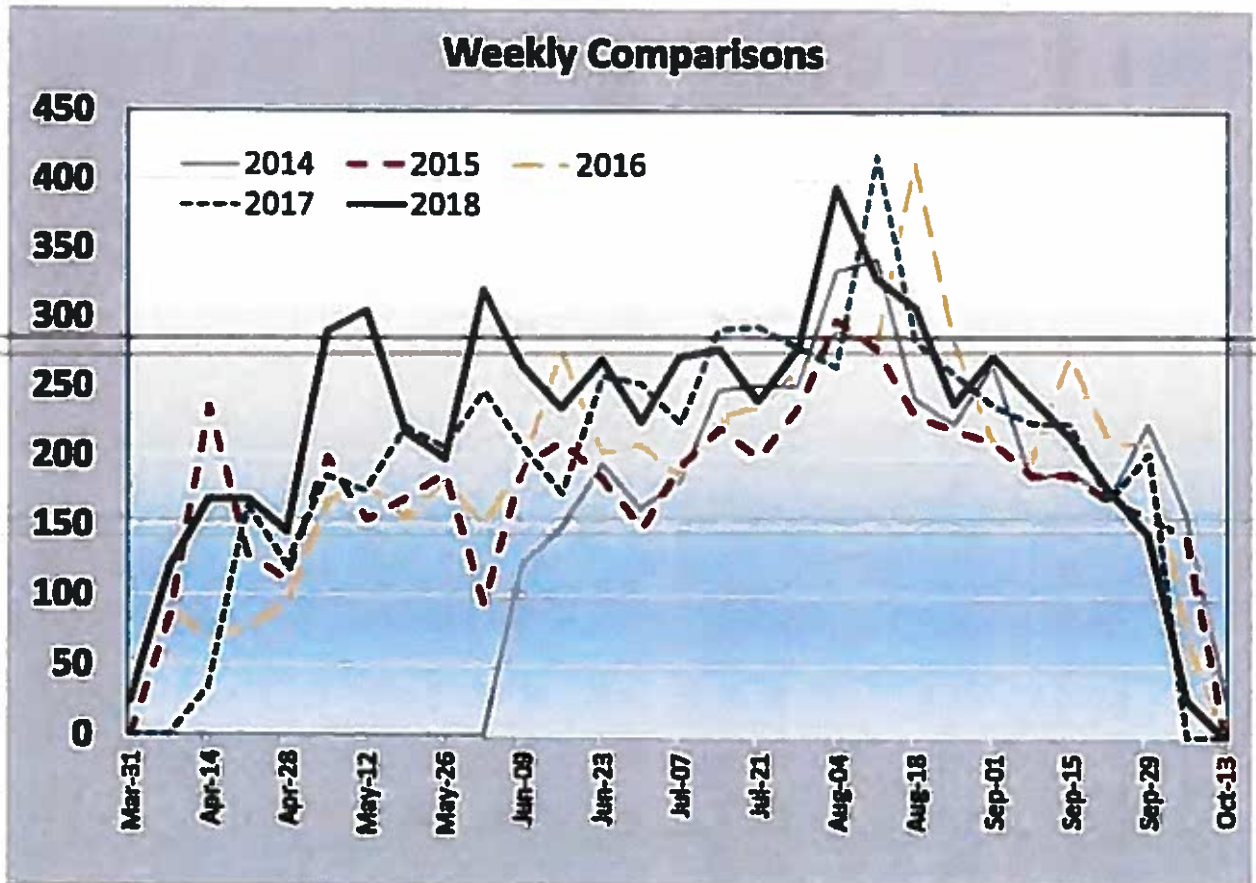
## APPENDIX 5

### ACA CAT: Speyside Visitor Centre Visitor Numbers 2014-18

(Figures 1 and 2)

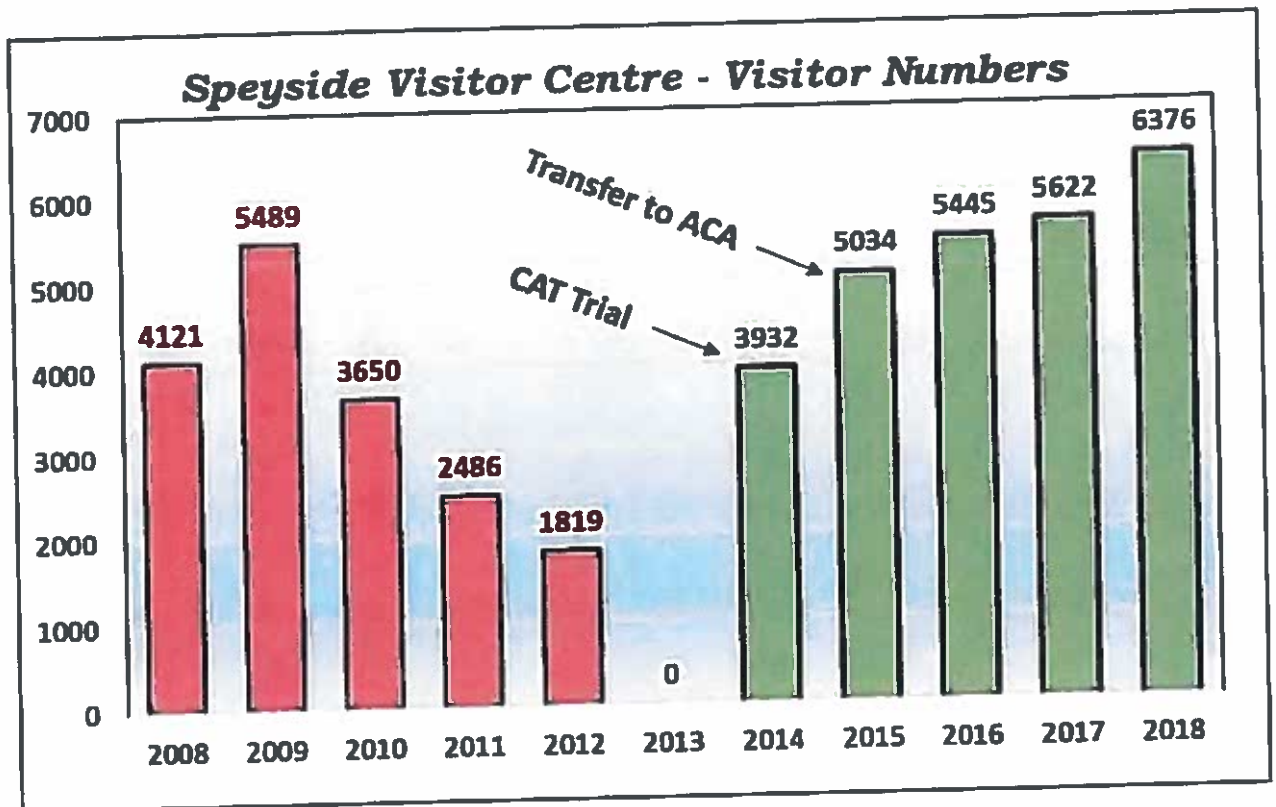
As the graph in Figure 1 shows, the statistical analysis of visitor numbers logged on a weekly basis between 2014 and 2018 demonstrates that the Speyside Visitor Centre is on a steadily increasing upward curve; in the last full season the Centre passed the 6,000 mark and welcomed 6,376 visitors – a 13.4% increase over 2017, the best ever year, roughly constituting 30% more than 2015.

Figure 1: Weekly Visitor Numbers to Speyside Visitor Centre 2014-2018



The Historical Chart in Figure 2 indicates the substantial growth experienced in visitor numbers since ACA took on ownership of the Speyside Visitor Centre by CAT from The Moray Council. This clearly demonstrates the added value created incrementally by ACA for this asset in comparison with its former incarnation as the Speyside Way Visitor Centre.

Figure 2: Historical Chart of Visitor Numbers to the Speyside Way Visitor Centre 2008-12 and the Speyside Visitor Centre 2014-18





# *Aberlour Community Association SCIO*

Scottish Incorporated Charity Registered Number: SC 009817

## APPENDIX 6

### ACA CAT: Formal Letters of Support

1. [REDACTED] Lord-Lieutenant of Banffshire
2. Aberlour Angling Club
3. Aberlour BALL Group
4. Aberlour Bowling Club
5. Aberlour Takeaway
6. The Alice Littler Memorial Trust
7. Aberlour Strathspey Highland Games
8. [REDACTED]
9. [REDACTED]
10. Edinville Community Hall Council

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11. [REDACTED]
12. [REDACTED]
13. [REDACTED] Operations Manager Moray Speyside Tourism

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14. [REDACTED] North East 250 Ltd
15. [REDACTED] Ltd
16. [REDACTED] Speyside Area Forum
17. [REDACTED] Aberlour Senior Citizens Association
18. [REDACTED] Spirit of Speyside Whisky Festival

19. [REDACTED] The Artist's Studio

20. [REDACTED] The Gaither'n

21. [REDACTED]

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Charlestown of Aberlour



## *Aberlour Community Association SCIO*

Scottish Charity Number: SC009817

### **Request for Formal Letter of Support for ACA CAT [Template]**

5 August 2018

Dear Sir/Madam

Aberlour Community Association is applying for a Community Asset Transfer (CAT) to take over ownership of part of the Alice Littler Park from the Moray Council on behalf of the village. The area in question concerns the land extending downriver from the southernmost mound to the Sandy Hole to the north (see aerial photograph attached).

ACA is keen to assume ownership in order to safeguard the central area of the Park as a versatile green space that can be freely accessed by the local community and visitors alike.

As part of this exercise, Aberlour Community Association is formally consulting the villagers about the initiative and is seeking your views in response to the following key questions:

1. Do you agree with this proposal?

YES	NO

2. If YES, ACA would be grateful if you would write a formal letter of support for the proposal, outlining your views on the park's future welfare as a valuable local amenity.
3. If NO, ACA invite you to state the reasons why you disagree with the proposal.  
For convenience's sake, you may wish to write your views on the back of this sheet.

Responses may be posted or handed in to:

Speyside Visitor Centre, Broomfield Square, Aberlour, AB38 9QP

If possible, please sign your response and state your place of permanent residence.

ACA would like to take this opportunity to thank you for your assistance in this matter.

## **Aberlour Community Association CAT Application for The Alice Littler Park: Background**

ACA has a proven track record of managing its Assets and now wishes to increase Asset Holding through a CAT for the Alice Littler Park. Ownership of the Park was formerly vested in The Alice Littler Memorial Trust but was taken over by The Moray Council in 2015 under the Long Lease (Scotland) Act (2012).

The Moray Council has duly accepted an Expression of Interest from ACA, which is now in the process of preparing a Business Case to assume ownership of the Park for the village.

To date, ACA has prudently managed the following Assets:

### **Old Station Tearoom**

The Tearoom has operated seasonally with a team of volunteers since 1980 on a consistently profitable standing, with income funding improvements within the village. Initially it operated under lease from The Moray Council, but the property was acquired by ACA under a CAT in 2016.

### **The Fleming Hall**

ACA has operated the Hall since 1982 under a 25 year lease from The Moray Council. Trading has been successful, and over the years approximately £115 000 has been invested in improvements, equipment and outside storage. Of this expenditure, less than half has been funded by grants.

### **Speyside Visitor Centre**

A seasonal service has been provided by a team of volunteers since 2014 initially through a licence pending transfer of ownership from The Moray Council under a CAT, effected in 2016. The Centre generates a modest surplus through donations and sales and has benefited substantially in recent years from lettings to Suntory as a local base for scientific research.

### **The Alice Littler Park**

Over the years, ACA has worked hand in hand with The Alice Littler Memorial Trust and The Moray Council in the general running of the Park. ACA is confident that it can continue to manage the facility to a consistently high standard with ongoing support from The Alice Littler Memorial Trust, which has made a formal commitment to ACA to this effect.

**APPENDIX 6**

27 Jul at 18:50

To whom it may concern

As Lord-Lieutenant of Banffshire I am very happy to add my support to the application by the Aberlour Community Association of a Community Asset Transfer of the Alice Littler Park

While I am not in a position to comment on the financial side, I have always considered that the successful involvement of volunteers is an excellent thing for the village.

I very much hope that the Aberlour Community Association is able to achieve a Community Asset Transfer.

Lord-Lieutenant of Banffshire

Sent from my iPad

## ABERLOUR ANGLING CLUB

As part of this exercise, Aberlour Community Association is formally consulting the people of the village about the initiative and is seeking your views.

If you agree with the proposal, ACA would be grateful if you would write a formal letter of support outlining your views on the park's future welfare as a valuable local amenity.

Alternatively, you may wish to write your views on the proposal in the Comment box below.

Responses may be posted or handed in to:

ACA CAT, Speyside Visitor Centre, Broomfield Square, Aberlour, AB38 9QP

If possible, please sign your response and state your place of permanent residence.

Comment Aberlour Angling Club

Support ACA's application for a CAT for all the reasons given on page 1 of this letter and appreciate the importance of the local community assuming ownership of this important local asset.

[Redacted Signature] (Secretary)

(on behalf of Aberlour Angling Club)

ACA would like to take this opportunity to thank you for your assistance in this matter.

Responses may be posted or handed in to:  
ACA CAT, Speyside Visitor Centre, Broomfield Square, Aberlour, AB38 9QP  
If possible, please sign your response and state your place of permanent residence.

Comment

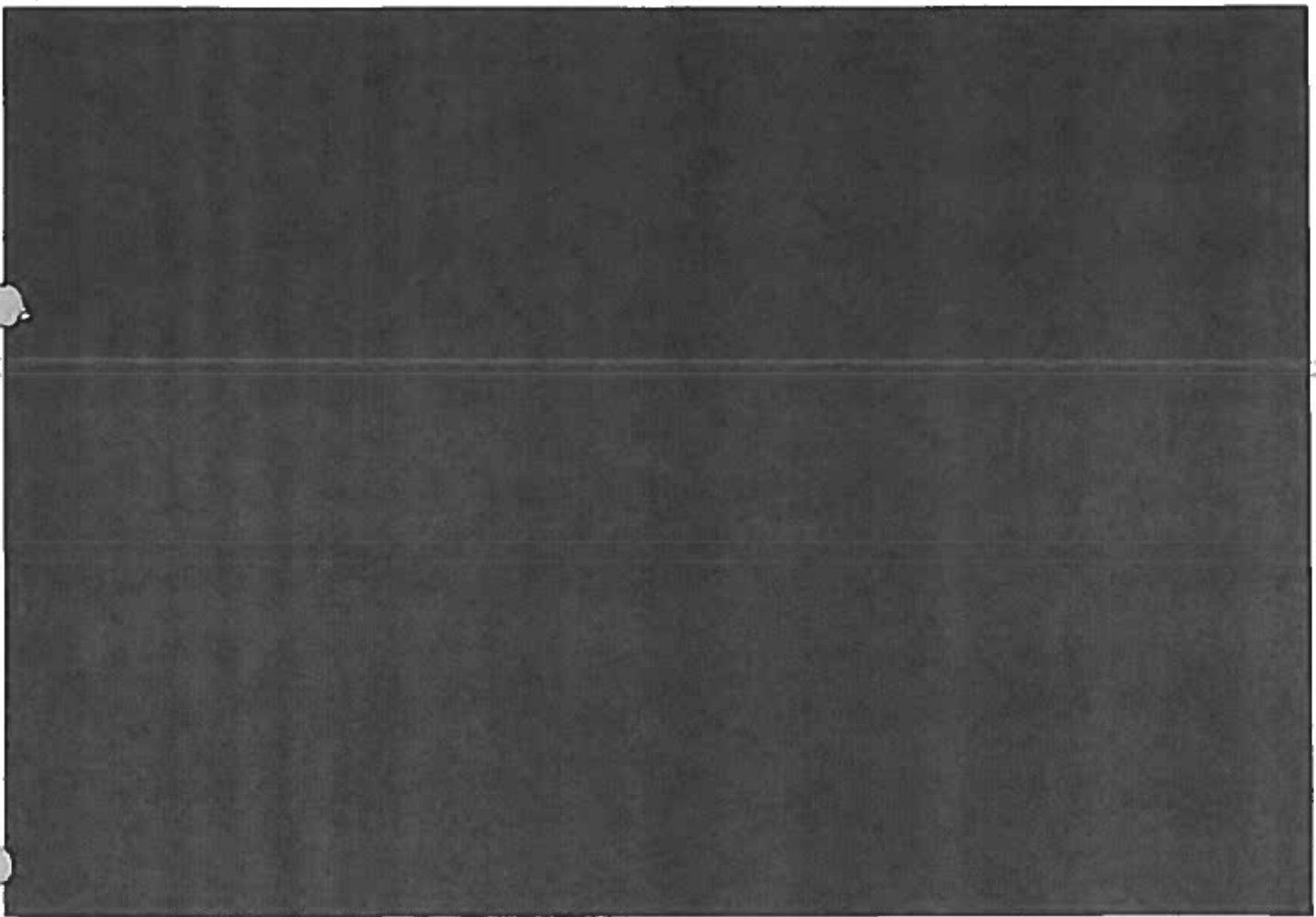
ABERLOUR BALL GROUP MEMBERS, SUPPORT THE ABERLOUR COMMUNITY ASSOCIATION, WITH THEIR APPLICATION OF A COMMUNITY ASSET TRANSFER (CAT) TO TAKE OVER OWNERSHIP OF PART OF THE ALICE WITTLER PARK FROM MORAY COUNCIL. THIS BEING THE LAND FROM THE SOUTHMOE MOUND TO THE SANDY HOLE TO THE NORTH.

THE UNDERNAME) MEMBERS, AGREE WE SHOULD PROTECT AND PRESERVE THIS 'GREEN SPACE' AT THE HEART OF THE VILLAGE, WHICH WAS GIFTED TO THE PEOPLE OF ABERLOUR BY THE LATE SYDNEY WITTLER.

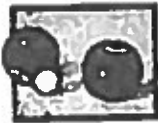
THIS STRETCH IS ADMIRERD AND LOVED BY RESIDENTS AND VISITORS FROM HOME AND ABROAD.

ACA would like to take this opportunity to thank you for your assistance in this matter.

MEMBERS OF ABERLOUR BALL GROUP. FLEMING HALL .



# ABERLOUR BOWLING CLUB



10<sup>th</sup> September 2018

Aberlour Community Association CAT  
Seeyale Visitor Centre



To whom it may Concern

We write on behalf of the Aberlour Bowling Club located on Queens Road, Aberlour. The Club was established circa 1889 and we recognise the importance of a facility where locals and visitors can meet together in sport and friendship

The Alice Little Park, Aberlour is also one of those rare places where families, friends, visitors and anglers on the nearby River Spey can meet and share their stories of "the one that got away". The many travellers on the Speyside Way can also avail themselves of the local amenities, quite a few which are provided by Volunteers from within the community.

The Alice Little Park is a beautiful place which must be preserved for future generations and the Management Committee and members of the Aberlour Bowling club have no hesitation in supporting Aberlour Community Association's Application for a Community Asset Transfer to take over ownership of part of the park on behalf of the Village of Aberlour.

Yours faithfully



President



Secretary



# ABERLOUR TAKE AWAY

As part of this exercise, Aberlour Community Association is formally consulting the people of the village about the initiative and is seeking your views.

If you agree with the proposal, ACA would be grateful if you would write a formal letter of support outlining your views on the park's future welfare as a valuable local amenity.

Alternatively, you may wish to write your views on the proposal in the Comment box below.

Responses may be posted or handed in to:

ACA CAT, Speyside Visitor Centre, Broomfield Square, Aberlour, AB38 9QP

If possible, please sign your response and state your place of permanent residence.

Comment

I [redacted] fully support  
 Aberlour Community Association  
 with regards to the transfer  
 of ownership of the park.  
 Great benefit for all Business/  
 community, visitors etc.

[redacted]

ACA would like to take this opportunity to thank you for your assistance in this matter.

# The Alice Littler Memorial Trust

Registered Number: SC010063

**Chairman:****Secretary / Treasurer:****Tel:**

Dear Sirs,

The Alice Littler Memorial Trust (ALMT) was the owner of the Alice Littler Memorial Park from its inception until taken over by the Moray Council under the Long Lease (Scotland) Act 2012 on the appointed day in November 2015. It was only on 17<sup>th</sup> May 2017 that the Trust became aware that it was no longer the owner of the park which had been leased under a long lease to the Moray Council. The park was now on the Community Asset Transfer List.

At first the ALMT sought ways of getting the park back into its own ownership, but it became apparent that under its constitution, it did not fit meet the requirements for a CAT. The consensus was that this asset should be under the control of the appropriate elected village committee, namely the Aberlour Community Association (ACA).

The ACA has an excellent track record of managing and investing in community assets such as the Aberlour station with its Speyside Visitor Centre and Station Tearoom and also the Fleming Hall. It has also been through the CAT process successfully in the past.

There has always been a good relationship between the ALMT and the ACA and the Trust which has income from another asset, has supported the ACA financially in the past and is pledged to do so in the future.

I am therefore, on behalf of the Alice Littler Memorial Trust, intimating that we are no longer interested in pursuing the return of the park to ALMT ownership but are instead endorsing the Aberlour Community Association's application for a Community Asset Transfer.



Chairman of the Alice Littler Memorial Trust.



# Aberlour Strathspey Highland Games



Aberlour Community Association SCIO,  
[Redacted]

4<sup>th</sup> September 2018

Dear [Redacted]

Many thanks for contacting us with regards to the potential disruption in our use of the Alice Liddler Park and your assurances that your endeavours to secure the long-term control of the park will encompass the continued running of our event in Aberlour.

The Aberlour Strathspey Highland Games have, for many years, used the park in the first week of August as a spectacular venue for our Scottish Highland Games Association competition. As a member event of the SHGA the Aberlour 'Games not only draws international level competitors but also provides a significant tourist attraction to Aberlour. Our research into visitor demographics shows that, in addition to high local numbers, around 33% of attendees are British holidaying in or around Aberlour and around 38%, nearly 2,000 people per annum, are international visitors to Speyside. That breaks down into approximately 50% from Northern Europe and 50% from truly around the world. Already for the 2019 games we have confirmed attendances from groups as far afield as Germany and New Zealand - evidence that the event gives Aberlour international exposure. As highlighted by the economic impact assessment in Event Scotland's 'The Gathering EIA' report (2009) this amounts to a significant financial contribution to Aberlour and its environs.

The Aberlour Strathspey Highland Games provides not only a community-based event but also a sporting event and a cultural event. The natural amphitheatre provided by the Alice Liddler Park provides a natural, safe and accessible venue at the centre of a picturesque and traditional highland village. To lose this venue we believe would have disastrous consequences and therefore we wholeheartedly support your bid to secure the future of the park.

Yours sincerely,

[Redacted Signature]  
Secretary, ASHG

[Redacted]

[REDACTED]

As part of this exercise, Aberlour Community Association is formally consulting the people of the village about the initiative and is seeking your views.

If you agree with the proposal, ACA would be grateful if you would write a formal letter of support outlining your views on the park's future welfare as a valuable local amenity.

Alternatively, you may wish to write your views on the proposal in the Comment box below.

Responses may be posted or handed in to:

ACA CAT, Speyside Visitor Centre, Broomfield Square, Aberlour, AB38 9QP

If possible, please sign your response and state your place of permanent residence.

Comment - TO Whom it may concern.

I am writing to you about the C.A.T. transfer of the land in question from the Moray Council to the Aberlour Community Association.

I would like to think this would be a very straight forward transfer, because this land was gifted to Aberlour in the 80's in memory of a residents wife.

The Council should never have owned this, and its only right it goes back to the people of Aberlour & can be managed by the Aberlour Community Ass.

yours  
[REDACTED]

ACA would like to take this opportunity to thank you for your assistance in this matter.

Comment I HAVE LIVED AND WORKED IN THIS  
HOVELY COMMUNITY FOR TWENTY YEARS. I  
ENJOY THE OPEN SPACES OF OUR HOVELY  
PARK BOTH FOR WALKING MY TWO DOGS  
AND PLAYING WITH MY FIVE GRANDCHILDREN.  
I DO NOT WANT THE ALICE HITCHER TRACT  
TO CHANGE FROM HOW IT IS USED AND  
ENJOYED BY THE COMMUNITY AND VISITORS  
ALIKE.  
THERE IS PLENTY SPACE ON THE OTHER SIDE  
OF THE MOON FOR A PLAY PARK AND A  
SKATEPARK OR ANY OTHER AMENITY WANTED  
BY THE COMMUNITY. THE TWO SPACES  
CAN BE SHARED BY OLDER PEOPLE FAMILIES  
AND YOUNG PERSONS.  
I AM IN FAVOUR OF ALICE HITCHER COMMUNITY ASSOCIATION  
TAKING OVER THE STATED SPACE.

ACA would like to take this opportunity to thank you for your assistance in this matter.

# Edinville Community Hall Council

Registered Scottish Charity No: SC002527

Please reply to:-



## APPENDIX 6

26<sup>th</sup> August 2019

Aberlour Community Association CAT  
Speyside Visitor Centre



Dear Sirs,

Alice Littler Park

Thank you for inviting Edinville Community Hall Council to comment on the consultation process you are undertaking with regards to a potential asset transfer of the Alice Littler Park. As the representative body of Edinville and its wider catchment area, we are fully in support of this proposal as we believe the Park is a major asset not only to the community of Aberlour but also to the wider area and therefore ownership and responsibility for its ongoing preservation should rest with Aberlour Community Association. As a committee, we are very aware that many of our residents use the area outlined in your consultation document on a regular basis and would therefore wish, if possible, to see the Park transferred to community ownership.

We very much wish you every success in your application for a Community Asset Transfer.

Kind regards

By Email




Vice Chair  
Edinville Community Hall Council  
SC002527



24 July 2018



Dear 

I was so pleased to hear from  of the hopes for the community to look after the park in Aberlour, and as someone who much enjoys visiting Aberlour I wanted to write and wish you well.

The park is a great attraction, not only as somewhere to walk in, but also for the overall ambience it provides, which makes Aberlour one of the most attractive places in Moray to visit. Indeed I always make sure when we plan to meet that I travel through to Aberlour as I enjoy the visit, along with the opportunity to walk when time permits, and I always round off with a visit to the Speyside Larder.

Although there are many places to walk in Moray, there are a few particular ones that seem to have everything – the walking area, the scope to walk further if desired, and pleasant places nearby for tea/coffee/food afterwards, and the combination is very attractive for those of us who live elsewhere and enjoy an outing.

Parks with such excellent facilities will become ever more important as time goes on, with an increasing proportion around of older people who need to walk more for their health and who have time to do so during the day. This in turn brings revenue to shops and food providers round about, so indeed the so-called “grey pound” is becoming increasingly significant.

There is further the pattern of more people being self-employed and working from home, often in creative industries or in consultant roles, so that they can choose where they live, and amenity for themselves and their families becomes an important factor for them in making that choice. A really good park thus becomes not only a stimulus for business from visitors, but also something which can encourage new people with ~~new skills to come to live in a community and contribute to it.~~

For all these reasons I think that for the community to have direct involvement in the park is an investment in the future that will have benefits all round. When you get to the stage of fundraising, I will be glad if you will let me know, as I would like to make a small contribution then in appreciation of an amenity which I enjoy, and I am sure that there are a considerable number of others like me.

With very best wishes for success,





PRODUCT OF SCOTLAND  
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By Appointment to  
Her Majesty The Queen  
Desserts Manufacturer  
Walkers Shortbread Ltd  
Aberlour

JNW/STA

7<sup>th</sup> September, 2018

To whom it may concern

Dear Sir or Madam,

**COMMUNITY ASSET TRANSFER (CAT) - THE ALICE LITTLER PARK, ABERLOUR**

Having been a resident of Aberlour all my life, I would like to express my wholehearted support for maintaining the status quo of the Alice Littler Park and the benefit that it, and the Old Station Buildings have to the village.

They are probably the best-preserved reminder of the Speyside railway throughout the whole of Speyside and I would greatly encourage maintaining it in the best possible condition for future generations.

ACA has a good track record of managing its assets and now wishes to increase Asset Holding through a CAT for the Alice Littler Park. Ownership of the Park used to be vested in The Alice Littler Memorial Trust but was taken over by The Moray Council in 2015 under the Long Lease (Scotland) Act (2012).

The Moray Council has accepted an Expression of Interest from ACA who is now in the course of preparing a business case to get the park back in ownership of the village.

I would like to confirm my support of the application from the Aberlour Community Association to regain ownership of the park on behalf of the village.

Yours faithfully,

*The World's Finest Shortbread*  
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enquiries@walkers-shortbread.co.uk    www.walkersshortbread.com

ACA CAT  
Aberlour Community Association

August 24<sup>th</sup> 2018

Dear Sir / Madam,

**Letter of support in respect of Aberlour Community Association CAT Application**

I write to express Moray Speyside Tourism's support for Aberlour Community Association's prospective Community Asset Transfer of the Alice Littler Park on behalf of the residents of Aberlour and surrounding communities.

As the destination marketing organisation (DMO) for Moray and Speyside, we are keen to support projects which complement and further strengthen ongoing work to position Moray Speyside as a must-visit destination, which this application certainly does. The Alice Littler Park is a key asset in the town's tourism toolkit, not only hosting the world famous Aberlour Highland Games, but also providing visitors and residents alike with a pleasant green space to enjoy.

The Aberlour Community Association's work is hugely important both to the local community and to the local tourism industry. The additional resource and asset afforded by the CAT transfer, will strengthen Aberlour's ability to contribute to the local economy, stimulate employment opportunities, safeguard jobs and help augment Moray Speyside's growing reputation as a world-class visitor destination.

Yours sincerely

Operations Manager

**NORTHEAST250**

**North East 250  
Limited**

[REDACTED]

4 August 2018

[REDACTED]

**The Alice Littler Park (the 'Park') - Community Asset Transfer ('CAT')**

Thank you for your email and its attachment, dated 23 July 2018. It was interesting to read about the activities of the Association and particularly its intended CAT of the Park.

The Park is a key link in the route that is known as the North East 250. It provides both the opportunity for visitors to enjoy the banks of the Spey and the facilities provided in the Park and to enjoy the information on Speyside provided by the volunteers at the Speyside Visitor Centre. This is addition to its role as an open space, a playground for residents and the venue for the well-established and thriving Highland Games each August.

The North East 250 is supportive of any future ownership and management of the Park that ensures that this level of benefit to visitors and residents alike is maintained. The Association certainly seems to have the background, experience and ability to make sure that this is achieved, particularly if it operates alongside the Alice Littler Memorial Trust.

*Yours sincerely,*

[REDACTED]

**Director**

E:  
M:

[REDACTED]

Ballindalloch, Banffshire AB37 9AX  
M 07968 728 575 E: [guymg@northeast250.com](mailto:guymg@northeast250.com)  
Reg. office: 593-599 Fulham Road, London SW6 5UA  
Registered in England with No. 04717491



[REDACTED]

As part of this exercise, Aberlour Community Association is formally consulting the people of the village about the initiative and is seeking your views.

If you agree with the proposal, ACA would be grateful if you would write a formal letter of support outlining your views on the park's future welfare as a valuable local amenity.

Alternatively, you may wish to write your views on the proposal in the Comment box below.

Responses may be posted or handed in to:

ACA CAT, Speyside Visitor Centre, Broomfield Square, Aberlour, AB38 9QP

If possible, please sign your response and state your place of permanent residence.

Comment

I AGREE WITH THE OUTLINED PROPPSAL + FULLY SUPPORT THE ABERLOUR COMMUNITY ASSOCIATION IN THEIR BID FOR THE COMMUNITY ASSET TRANSFER. THE PARK IS THE AREA OF THE VILLAGE WHICH MAKES ABERLOUR SUCH A SPECIAL PLACE, AND I WOULD WISH IT TO REMAIN SO. IT IS AN ATTRACTION FOR VISITORS FROM HOME + ABROAD + IS INTUENLY BENEFICIAL TO THE VILLAGE.

[REDACTED]

ACA would like to take this opportunity to thank you for your assistance in this matter.



**Speyside Area Forum**  
[www.undiscoveredspeyside.org](http://www.undiscoveredspeyside.org)



27th August 2018

Aberlour Community Association CAT  
Speyside Visitor Centre



Dear Sirs

Alice Littler Park

The Speyside Area Forum comprises community representatives from across the Speyside ASG. At our recent meeting, the issue regarding ownership and ongoing maintenance of the Park was discussed and our members were unanimous in their support of the community asset transfer application made by Aberlour Community Association. The park is an integral part of Aberlour and is used regularly by residents, neighbouring communities and tourists.

On behalf of the Speyside Area Forum, I would like to wish you every success in your application and very much hope that a positive outcome for this much loved community asset can be achieved.

---

Yours faithfully

*By Email*



Vice Chair  
Speyside Area Forum

THE CHAIR,

ABERLOUR COMMUNITY ASSOCIATION

DEAR SIR / MADAM

19-8-2018

ABERLOUR SENIOR CITIZENS ASSOCIATION

ON BEHALF OF THE ABOVE ASSOCIATION, I WRITE THIS FORMAL LETTER OF SUPPORT FOR THE APPLICATION BY ABERLOUR COMMUNITY ASSOCIATION TO PARTAKE IN A COMMUNITY ASSET TRANSFER FOR THE OWNERSHIP OF PART OF THE ALICE LITTLE PARK FROM THE MCBAY COUNCIL ON BEHALF OF THE VILLAGE

THE MAJORITY OF MEMBERS USE THE PARK AND ADJOINING FACILITIES AT SOME TIME OR ANOTHER, EITHER ON THEIR OWN TO SIT AND ENJOY THE PEACE AND QUIET IN LOVELY SURROUNDINGS OR WITH YOUNGER FAMILY MEMBERS SUCH AS GRAND CHILDREN AND GREAT GRANDCHILDREN.

FOR SOME IT IS A NICE REST POINT ON THEIR WAY TO VISIT THE LOCAL GRAVEYARD.

WHAT COULD BE MORE RELAXING THAN SITTING ON PARK BENCHES ON A SUNNY DAY LISTENING TO THE WATERS OF THE RIVER SPEY AND WATCHING THE HERONS LOOKING FOR THEIR NEXT MEAL

SOME OF OUR MEMBERS ARE INVOLVED WITH THE RUNNING OF THE STATION TEA ROOM. A FACILITY MUCH ENJOYED BY USERS OF THE PARK WHETHER LOCAL OR FROM OUTWITH OUR VILLAGE.

---

OF COURSE WE CAN NOT FORGET THAT THE  
PARK IS SYNONYMOUS WITH THE ABERLOUR HIGHLAND  
GAMES. AN EVENT ENJOYED BY THOUSANDS OF TOURIST  
IN TRULY WONDERFUL SURROUNDINGS.

WE ARE THEREFORE OF THE OPINION THAT THE  
PARK'S FUTURE LIES IN THE CAPABLE HANDS OF  
ABERLOUR COMMUNITY ASSOCIATION TO ENSURE  
IT REMAINS A VILLAGE AMENITY AVAILABLE FOR  
LOCALS AND TOURISTS ALIKE

YOURS SINCERELY.

ABERLOUR SENIOR CITIZENS ASSOCIATION  
- PRESIDENT

- SECRETARY

To Whom it May Concern

Dear Sirs

The Alice Littler Park, Aberlour

I write in support of Aberlour Community Association's application for a Community Asset Transfer of the Alice Littler Park

The Community Association have demonstrated over many years their dedication and total commitment to looking after the assets of Aberlour and their Volunteers have done a brilliant job since the early 1980's managing The Fleming Hall and the Old Station Tearoom and have been able to create sufficient revenue to invest in significant improvements to the properties and to update equipment

In more recent times, what they have been able to do with the Speyside Visitor Centre, since 2014 and after the CAT transfer in 2016 has been very impressive indeed and this is now a great facility, serving and promoting the whole of Speyside and attracting and helping a growing number of Visitors each year

I am aware that Aberlour Community Association has worked over the years with Moray Council and The Alice Littler Memorial Trust in the general running of the Park. With the expertise and enthusiasm of their Volunteers, and the promise of ongoing support which they have from the Alice Littler Memorial Trust, I am sure that they will manage the facility to a very high standard and will look after the asset, for future generations, incredibly well

Kind Regards



Chairman

---

Spirit of Speyside Whisky Festival

1<sup>st</sup> May - 6<sup>th</sup> May 2019

# **The Artist's Studio**



## **To Whom It May Concern**

As proprietor of a well established local business in the village of Aberlour, I wholeheartedly endorse the plan for Aberlour Community Association to take over ownership of the Alice Littler Park from The Moray Council by means of a Community Asset Transfer.

I am firmly of the opinion that the Park constitutes a major asset for locals and visitors alike, and I am delighted to support the initiative of ACA in their efforts to secure the future welfare of a valuable natural amenity standing at the very heart of the village.

Yours sincerely,





As part of this exercise, Aberlour Community Association is formally consulting the people of the village about the initiative and is seeking your views.

If you agree with the proposal, ACA would be grateful if you would write a formal letter of support outlining your views on the park's future welfare as a valuable local amenity.

Alternatively, you may wish to write your views on the proposal in the Comment box below.

Responses may be posted or handed in to:

ACA CAT, Speyside Visitor Centre, Broomfield Square, Aberlour, AB38 9QP

If possible, please sign your response and state your place of permanent residence.

Comment

As ~~proprietor~~ proprietor of the Gather'n in the high street. I am fully in favour of the ACA CAT application to take ownership of the Alice Little Jayh



28.8.18

ACA would like to take this opportunity to thank you for your assistance in this matter.

As part of this exercise, Aberlour Community Association is formally consulting the people of the village about the initiative and is seeking your views

If you agree with the proposal, ACA would be grateful if you would write a formal letter of support outlining your views on the park's future welfare as a valuable local amenity.

Alternatively you may wish to write your views on the proposal in the Comment box below

Responses may be posted or handed to us:  
ACA CAT, Speyside Visitor Centre, Broomfield Square, Aberlour, AB38 9QP  
If possible, please sign your response and state your place of permanent residence.

Comment

after discussion it was agreed that your plan is a good idea, looking after a valuable asset to the village, and we hope you can take ownership of that part of the Aberlour Park, as it was donated for the benefit of the village.

SECRETARY

ACA would like to take this opportunity to thank you for your assistance in this matter.