

PERTH AND KINROSS COUNCIL

Environment and Infrastructure Committee

31 January 2018

AUCHTERARDER COMMUNITY FACILITIES FUND

Report by Executive Director (Environment)

PURPOSE OF REPORT

This report provides details of funding received and allocated in respect of the Auchterarder Community Facilities Fund from its inception to present date. The fund was created in line with the Auchterarder Development Framework to support projects that will mitigate the impact of new housing developments on community facilities in the town and improve the amenity of the public realm.

1. BACKGROUND / MAIN ISSUES

- 1.1 The Auchterarder Expansion Development Framework was published in February 2008 and adopted by the Enterprise and Infrastructure Committee (**Report 14/370 refers**) as Supplementary Guidance in September 2014.
- 1.2 This document set the framework for subsequent planning applications and defined the infrastructure requirements associated with this major expansion to the settlement. It has been acknowledged that the identified scale of development will have an impact on the level of existing services provision provided by community facilities. To mitigate this impact as the development progresses, one of the measures included in the Framework is a contribution of £1,000 per open market housing unit to be made to the Council by the developers up to a total of £600,000 towards an Auchterarder Community Facilities Fund. The procedure for the distribution of these funds was considered and agreed by the Enterprise and Infrastructure Committee (**Report 16/375 refers**) on 7 September 2016, and a summary of these procedures is described in section 2 of this report.
- 1.3 In line with the section 75 Legal Agreements that are attached to the consented developments, the fund will be used for the sole purpose of providing 'Community Facilities', the meaning of which is set out in the agreements as *'such public facilities within the settlement boundary of Auchterarder, the provision of which the Council, at their sole discretion, believe would improve the amenity of the public realm, including without prejudice to the foregoing generality, car parking facilities, a public hall, adaption of existing school changing room facilities to permit access to the pitches forming part of the Sports Facilities, a public library, new or enhanced public transport services, improvements to the core path network and recycling facilities.'*

- 1.4 It is intended that the Fund will be spent over the lifetime of the development as the demand on the settlement's community facilities increases. It is also intended that the Fund be used to support a range of projects that will benefit the community in Auchterarder.
- 1.5 Procedures for recording contributions received; distributing contributions towards the provision of community facilities; and reporting these details in an open and accountable way have been agreed by the Enterprise and Infrastructure Committee (**Report 16/375 refers**).
- 1.6 These procedures include reports on funding received and allocated each year, which is the subject of this first annual report; and on requests for funding where the amount sought exceeds £50,000. The procedures also include provision where future contributions to the fund may be ringfenced towards projects that require additional funding to that already received.

2. PROPOSALS

- 2.1 In respect of funding received and allocated, contributions totalling £155,000 have been received from the respective developers in the first year of the fund's operation. This relates to the first 73 open market housing units at Castlemains, the first 48 open market housing units at Kirkton and the first 34 open market housing units at Townhead.
- 2.2 Looking to the future operation of the fund, further contributions are expected as construction progresses across the Framework sites.

The procedures for the operation and distribution of the fund have previously been agreed as noted in paragraph 1.2. The views of the Community Council, Local Members and the Convener of the Environment and Infrastructure Committee will be sought as to whether each valid funding request meets defined criteria. Where there is general support that the funding request be supported and the amount sought is up to £50,000, the decision is delegated to the Executive Director (Environment).

- 2.3 The Executive Director (Environment) has used delegated powers to assess and approve one application for funding to the value of £50,000. This was for a contribution towards a major project to upgrade the cross town path known as Provost's Walk on the southern boundary of the town parallel to the A9 trunk road (Core Path AUCH/2) to make it a multi-user path suitable for both walkers and cyclists. The sum was transferred to Perth and Kinross Countryside Trust as a contribution towards the £600,000 total cost of the first phase of this project. In reaching this decision, the views of the Community Council, local elected members and the then Convener of the Enterprise and Infrastructure Committee were sought, in line with the fund's operating procedures.
- 2.4 The outstanding balance of the fund is £105,000 and Appendix 1 provides full details of the contributions received and spent.

3. CONCLUSION AND RECOMMENDATION

- 3.1 The report provides details of the funding received and allocated in the first year of the Fund.
- 3.2 In respect of funding received and allocated, contributions totalling £155,000 have been transferred in to the Fund and the sum of £50,000 has been transferred out towards one project. The balance of the fund is therefore £105,000 and further contributions are expected as construction progresses across the Framework sites.
- 3.3 It is recommended that the Committee requests the Executive Director (Environment) to:-
- (i) publish the annual report providing details of funding received and allocated.
 - (ii) bring forward any application for funding of more than £50,000 for consideration.
 - (iii) Bring forward a second annual report on the operation of the fund in 12 months time.

Authors

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|---------------------------------------|--|--|
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Approved

| Name | Designation | Date |
|----------------|-------------------------------------|------------------|
| Barbara Renton | Executive Director (Environment) | 28 November 2017 |

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1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

| Strategic Implications | Yes / None |
|---|-------------------|
| Community Plan / Single Outcome Agreement | Yes |
| Corporate Plan | Yes |
| Resource Implications | |
| Financial | None |
| Workforce | None |
| Asset Management (land, property, IST) | None |
| Assessments | |
| Equality Impact Assessment | None |
| Strategic Environmental Assessment | None |
| Sustainability (community, economic, environmental) | None |
| Legal and Governance | None |
| Risk | None |
| Consultation | |
| Internal | Yes |
| External | Yes |
| Communication | |
| Communications Plan | None |

1. Strategic Implications

Community Plan / Single Outcome Agreement

- 1.1 The Perth and Kinross Community Planning Partnership brings together organisations to plan and deliver services for the people of Perth and Kinross. Together the CPP has developed the Perth and Kinross Community Plan, which outlines the key things we think are important for Perth and Kinross:
- (i) Giving every child the best start in life
 - (ii) Developing educated, responsible and informed citizens
 - (iii) Promoting a prosperous, inclusive and sustainable economy
 - (iv) Supporting people to lead independent, healthy and active lives
 - (v) Creating a safe and sustainable place for future generations
- 1.2 It is considered that this periodic report and funding application report will contribute to the following objectives:
- (ii) developing educated, responsible and informed citizens;
 - (iii) promoting a prosperous, inclusive and sustainable economy; and
 - (v) creating a safe and sustainable place for future generations.

Corporate Plan

- 1.3 The Council's corporate plan sets out objectives that provide clear strategic direction, inform decisions at a corporate and service level, and shape resources allocation. This report impacts on the following *Corporate Plan Priorities*:

- (ii) developing educated, responsible and informed citizens;
- (iii) promoting a prosperous, inclusive and sustainable economy; and
- (v) creating a safe and sustainable place for future generations.

2. Resource Implications

Financial

- 2.1 There are no financial implications beyond noting the content of the monitoring report. The Auchterarder Community Facilities Fund is an earmarked Reserve administered by the Council in accordance with the approved Financial Regulations and in line with the legal agreements upon which it is founded.

Workforce

- 2.2 There are no workforce implications.

Asset Management (land, property, IT)

- 2.3 There are no land, property or information technology implications.

3. Assessments

Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties. The Equality Impact Assessment undertaken in relation to this report can be viewed clicking [here](#).
- 3.2 The report and proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:
- 3.3 Assessed as **not relevant** for the purposes of EqIA

Strategic Environmental Assessment

- 3.4 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.

- 3.5 The matters presented in this report have been considered under the Act and **no further action is required** as it does not qualify as a Policy Proposal or Strategy, as defined by the Act and is therefore exempt. The report provides details of funding received and allocated in respect of the Auchterarder Community Facilities Fund.

Sustainability

- 3.6 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. Under the Climate Change (Scotland) Act 2009 the Council also has a duty relating to climate change and, in exercising its functions must act:

- in the way best calculated to delivery of the Act's emissions reduction targets;
- in the way best calculated to deliver any statutory adaptation programmes; and
- in a way that it considers most sustainable.

- 3.7 The report does not have a direct impact on sustainability or climate change as it simply provides detail of funding received and allocated.

Legal and Governance

- 3.8 No legal implications are identified.

Risk

- 3.9 This report provides details of funding received and allocated in respect of the Auchterarder Community Facilities Fund. There is no significant risk to the Council. The source of funding has been agreed through a section 75 legal agreement and the Council decides how it is distributed to identified projects. There are minor risks that the lack of fund collection does not allow suitable projects to be supported, or that the funds are not used within five years and are returned.

4. Consultation

Internal

- 4.1 The views of the Local Elected Members; the Convener of the Environment & Infrastructure Committee; and the Council's Community Greenspace officers were sought, in line with the Fund's operating procedures.

External

- 4.2 The views of the Auchterarder and District Community Council were sought, in line with the Fund's operating procedures.

5. Communication

- 5.1 This report firstly provides details of funding received and allocated in respect of the Auchterarder Community Facilities Fund. The target audience for this report is therefore the fund contributors (the developers of the Auchterarder Framework Sites) in respect of reporting their financial contributions. While no specific communications are required to target the key audiences of this report, the report may be of interest to other community groups in Auchterarder that may be considering funding applications of their own. It may also have wider public interest in terms of how the fund is collected and used. The Council's website includes an information page to raise awareness of the fund and how to make an application to the fund.

2. BACKGROUND PAPERS

- 2.1 The following background papers, as defined by section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information) were relied on to a material extent in preparing this report:
- Auchterarder Development Framework Supplementary Guidance
 - Planning application 14/02038/FLL
 - Planning application 08/01131/IPM
 - Planning application 08/01133/IPM

3. APPENDICES

- 3.1 Appendix 1 - Auchterarder Community Fund Annual Monitoring Report