

PERTH AND KINROSS COUNCIL

Environment and Infrastructure Committee

7 November 2018

Auchterarder Community Facilities Fund.

Report by Executive Director (Housing and Environment) (18/367)

This report seeks the determination of an application for funding from Perth and Kinross Countryside Trust for a contribution of £100,000 towards a major project for improvements to Provost's Walk in Auchterarder.

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 No. 14/370 refers) as Supplementary Guidance to the Local Development Plan in September 2014.
- 1.2 That 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 service 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.
- 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 were agreed by the Enterprise and Infrastructure Committee (Report No. 16/375 refers). These procedures include reports on funding received and allocated each year; and procedures for the allocation of funding. Requests for requests for funding under £50,000 are delegated to the Executive Director (Housing & Environment). Where the amount sought exceeds £50,000, this needs to be referred to the Environment and Infrastructure Committee. The procedures also include provision where future contributions to the fund may be ringfenced for projects, in addition to what has already been provided through the Fund.
- 1.6 The Executive Director (Housing & Environment) has previously used delegated powers to assess and approve an application for funding to the value of £50,000. This was for a contribution towards the first phase of 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. In reaching this decision, the views of the Community Council, Local Elected Members and the Convener of the Enterprise and Infrastructure Committee were sought, in line with the fund's operating procedures. (Report No 18/28 refers).

2. PROPOSALS

- 2.1 The Committee is asked to consider and determine an application for funding from Perth and Kinross Countryside Trust. The application is made by the Trust on behalf of Auchterarder Community Sports and Recreation group, which is a community group operating in the area.
- 2.2 The application is for the sum of £100,000, which is sought as a further contribution towards the cost of upgrading the final phase of the Provost Walk, a core path in the south of Auchterarder.
- 2.3 The proposed upgrade of Provost Walk has been planned in three phases. Phases one and two are complete. Phase 1 is outlined in paragraph 1.6.
- 2.4 For phase 2 of the project, an application for the same amount was prepared and submitted by the Countryside Trust. However the Auchterarder Community Sports and Recreation group reallocated £50,000 that had been raised towards other projects to phase 2 of the Provost Walk upgrade. The phase 2 application was not therefore progressed.

- 2.5 The sum of £100,000 requested for phase 3 is therefore an essential contribution towards the total amount required to implement the works. A decision is required on this application in order to secure other essential match funding for this project.
- 2.6 Match funding of £352,100 has already been secured from Sustrans Scotland, Auchterarder Community Trust, EB Scotland (a body operating within the Scottish Landfill Communities Fund), and the Auchterarder Community Sports and Recreation Paths Group.
- 2.7 Decisions are pending to Fife Environment Trust (an independent non-profit making company to distribute landfill tax funds) for £50,000; and to Land Trust for £50,000.
- 2.8 Phase 3 of the project will continue the westward upgrade of the path from the area around Coalbore Well to the western end of the path where it meets Western Road (A824). It will improve access through an existing narrow gate in a high wall and improve steps beside an open culvert to a burn. In addition, it will provide a 1.4km sealed surface multi-user DDA-compliant path from the western side of Auchterarder to the town centre without having to travel along the busy main road. Planning permission for the work has already been granted (planning application reference 18/01064/FLL) and it is anticipated that work to phase 3 of the project could start in Autumn 2019. A location plan is included in Appendix 1.
- 2.9 This phase of the project will provide a path that will not just connect one of the three large development sites to the core path network. It will also be used by existing residents to travel across town and access key amenities. It will therefore mitigate the impact of the new housing and improve the quality of the public realm.
- 2.10 In terms of the criteria for accessing the Auchterarder Community Facilities Fund, procedures were set out and agreed by the Enterprise and Infrastructure Committee (Report No. 16/375 refers). The application meets the criteria for the fund. In line with the agreed procedures, a committee decision is required to determine this application since the amount sought exceeds £50,000.
- 2.11 In terms of consultation carried out on the application, the views of the Auchterarder and District Community Council; the Local Elected Members; and the Convener of the Environment & Infrastructure Committee were sought, in line with the Fund's operating procedures. These views require to be taken into account when determining this application.

- 2.12 The three ward Councillors were consulted before the Council's summer recess and initial comments advised that funding should be withheld to allow time to seek clarity on two other priorities that had been identified by the community and highlighted in the Community Council's response. This is outlined in the following paragraph. The two other priorities identified by the community are a town bus service to improve transport to and from essential community facilities; and improved parking arrangements in the town centre.
- 2.13 Comments from Auchterarder and District Community Council seek that consideration be given to allocating funding in a more balanced way across a range of projects. Projects that the Community Council wishes to prioritise over this application are the acquisition of land to increase the number of off-street parking spaces in the town; and the establishment of an Auchterarder circuit bus.
- 2.14 The Community Council's consultation response does acknowledge that improvements to the core path network is an example of the type of project on which Fund monies will be spent. It also says it is generally supportive of the Provost Walk upgrade project. However, it is clear that the community council feels that the two other identified projects should be prioritised and given the chance to access funds from the Community Facilities Fund.
- 2.15 For both of these other identified projects, initial work has commenced on developing proposals that could come forward as applications for support from the Fund. Options for improving capacity in respect of both on and off-street parking is under consideration within the Council; and an external group is investigating feasibility of a town bus service.
- 2.16 The views of Community Greenspace officers were also sought in respect of the ongoing maintenance of the proposed paths. However, as written support for the project is contained in the application papers, no further response was needed.
- 2.17 In terms of the Council's response to the issues raised in consultation, general support is acknowledged for the Provost Walk upgrade project. However, consultation responses are mindful of the fixed budget for the Fund, and raise awareness of other community priorities in addition to core path improvements.
- 2.18 While none of the consultation responses advise that the funding application ought to be rejected, the consultation responses express views that the Fund ought to be supportive of a range of projects that will benefit the community.
- 2.19 In order to address the concerns raised in consultation, more work has been carried out to establish what types of project might seek support from the fund, and estimates of the level of support that might be sought.

- 2.20 From discussions with community groups and council officers, two projects are likely to be in a position to seek funding from the Community Facilities Fund in the short term. These are the Auchterarder Community Bus Group; and the acquisition of land to increase the number of off-street parking spaces in the town, both of which were identified as priorities by the Community Council.
- 2.21 For the Auchterarder Community Bus Group, initial discussions indicate that an application for funding is under preparation. Without prejudice to the consideration of any application that might be submitted in the future, it is currently estimated that a sum of £100,000 might be sought, to be spent in two equal tranches over successive/consecutive years.
- 2.22 For the planned acquisition of land to increase the number of off-street parking spaces in the town, to date at least one potential option has been identified. The Council is currently at an advanced stage in negotiations with a landowner with a view to purchasing a site. There are however alternative sources of funding for additional car parking as there is provision in the Council's Capital Budget to support the development of additional off-street parking. This is noted within reports to the Strategic Policy and Resources Committee (Report No 18/46 refers). It is not yet clear whether the provision of additional car parking will require additional funding from the Auchterarder Community Facilities Fund. However, it is clear that any requirement would be well within the Fund's capabilities, taking account of both the application under consideration and the proposed bus service project.
- 2.23 In terms of the fund balance, there is £119,000 in the account. The Council has received contributions totalling £169,000, and £50,000 has been spent on phase 1 of Provost's Walk (paragraph 1.6 refers). Predictions on future contributions are based on the level of contributions to date and our estimate of the rate of open market completions at the three development sites. For this year and next year the Council anticipates an income of £66,000 and £68,000 respectively. This is based on an assumption that house building at the three large development sites proceeds with regular contributions made to the Fund from the respective developers.

- 2.24 The following table sets out the fund's anticipated income for this year and next; potential disbursements to known projects; and projected surplus available to fund a range of other projects.

		2017		2018
Current contributions available	£	119,000		
Future contributions (estimated)	£	66,000	£	68,000
Total income	£	185,000	£	68,000
Potential known projects				
Provost Walk phase 3 application	£	100,000		
Community bus project (estimated)	£	50,000	£	50,000
Land for car parking (funded from Council capital programme)	£	-	£	-
Total estimated disbursements	£	150,000	£	50,000
Balance	£	35,000	£	18,000

- 2.25 At this point, therefore, indications are that the Fund would still be capable of supporting a range of projects, including a community bus service and the application under consideration. It is also likely that a range of other projects could also be supported further into the future.
- 2.26 As a result, further comments have been sought from the required consultees.
- 2.28 Specifically, views have been sought as to whether support for this funding application could be offered in light of the progress being made with the other projects, and the fact that a decision to grant this funding application would not impinge on the ability to fund other projects.
- 2.29 At the time of writing, the outcome of the additional consultation was that the Local Elected Members expressed support for the application. The Auchterarder and District Community Council also expressed support for the application, after further consideration at its meeting of 25 October.

3. CONCLUSION AND RECOMMENDATION

- 3.1 While the project meets the Fund's criteria, the Committee is required to take account of the consultation responses when determining this application. The consultation responses received highlight general support for this type of project, but also emphasise that work is under way to identify other community priorities that could also seek support from the Fund. In fact the consultation responses wish funding to be withheld until higher priority applications from other community projects are given a chance to access the Fund's fixed budget.

- 3.2 Specifically, concerns were raised over the share of the budget that would be allocated to the Provost Walk upgrade. Concerns were also raised that the total amount requested for the Provost Walk core path upgrade would prejudice the Fund's aim of allocating funding in a balanced way across a range of projects.
- 3.3 Further work was carried out in response to the concerns raised, to ascertain whether the level of support sought from the Fund could be supported. Estimates were made of the likely level of support that might be sought from two other projects from the fund in the short term. Without prejudice to any applications that might be received, the Fund is capable of supporting all of those projects. Additional car parking can be provided through the Council's agreed capital budget. Decisions on whether to award funding to the other projects will be required in due course. However a decision is required now as to whether the Provost Walk phase 3 project should receive the requested funding.
- 3.4 This report illustrates that the Provost Walk phase 3 project represents a large amount of investment in the town's infrastructure. In terms of the overall cost of the project, the contribution sought from the Fund is just under one fifth of its budget, however it is dependent on a successful award from the Auchterarder Community Facilities Fund and other identified match funding, without which the project cannot proceed. The project meets the fund's criteria. Consultation took place in accordance with the Fund's procedures, and reported above.
- 3.5 A decision to approve this application would potentially allow the Provost Walk phase 3 works to proceed while allowing time for funding applications to be prepared and submitted for those other projects highlighted in consultation responses.
- 3.6 Taking the application and the consultation responses into consideration, it is recommended that Committee consider and determine this application for a contribution of £100,000 to the third and final phase of the Provost Walk upgrade.
- 3.7 It is recommended that the Committee:
- i) Considers and determines the the grant of £100,000 to Perth and Kinross Countryside Trust, towards the cost of the third and final phase of the Provost Walk upgrade, Auchterarder.

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Approved

Name	Designation	Date
Barbara Renton	Executive Director (Housing & Environment)	29 October 2018

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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	Yes
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	
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; and
 - (v) Creating a safe and sustainable place for future generations.
- 1.2 It is considered that this report on an application for funding from the Auchterarder Community Facilities Fund 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 Anticipated income after the next 2 years as outlined in paragraph 2.23
- 2.2 The amount requested is £100,000 from the Auchterarder Community Facilities Fund, which 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.
- 2.3 The overall value of the Fund will be £600,000. Contributions of £169,000 have been made to the fund; and one payment of £50,000 has already been made from it. The current value of the Fund is £119,000.

Workforce

- 2.4 There are no workforce implications.

Asset Management (land, property, IT)

- 2.5 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:

- Assessed as **not relevant** for the purposes of EqIA.

Strategic Environmental Assessment

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

3.4 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.

Sustainability

3.5 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.

3.6 The report does not have a direct impact on sustainability or climate change as it provides detail of an application for funding received.

Legal and Governance

3.7 No legal implications are identified.

Risk

3.8 This report provides details of an application for funding received 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.
- 4.2 While acknowledging that the project could be supported by the Fund, the consultation responses indicated that the fund was intended to support a range of projects and that other identified projects should also be addressed.

External

- 4.3 The views of the Auchterarder and District Community Council were sought, in line with the Fund's operating procedures.
- 4.4 The consultation response highlighted that consideration should be given to allocating funding in a balanced way across a range of projects. Issues were identified that the Community Council wished to prioritise over of this application, while acknowledging that that improvements to the core path network is an example of the type of project on which Fund monies will be spent, and offering generally supporting comments on the Provost Walk upgrade project.

5. Communication

- 5.1 This report provides details of an application for funding received 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, and the potential recipient of funding (Perth and Kinross Countryside Trust).
- 5.2 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 This section should list the documents that have been relied on in preparing the report, other than those committee reports already referenced within the main body of the report. All documents must be kept available by the author for inspection by the public for four years from the date of the meeting at which the report is presented.

- Auchterarder Expansion Townhead and North East Development Framework March 2008

3. APPENDICES

Appendix 1- location plan