



APPLICATION PACK CONSISTING OF

- A. APPLICATION FORM**
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- C. INFORMATION FOR APPLICANTS**
- D. MODEL APPLICATION FORM**

PART A: APPLICATION FORM



COMMON GOOD FUND – APPLICATION FOR ASSISTANCE

Aberdeenshire Council manages several common good funds. Please cross the box for the particular common good fund that your application relates to -

AREA COMMITTEE	NAME OF COMMON GOOD FUND AND AREA COVERED	PLEASE CROSS THE APPLICABLE FUND
BANFF AND BUCHAN	Aberchirder	<input type="checkbox"/>
	Banff	<input type="checkbox"/>
	Fraserburgh	<input type="checkbox"/>
	Macduff	<input type="checkbox"/>
	Portsoy	<input type="checkbox"/>
	Rosehearty	<input type="checkbox"/>
BUCHAN	Peterhead	<input type="checkbox"/>
FORMARTINE	Oldmeldrum	<input type="checkbox"/>
	Turriff	<input type="checkbox"/>
GARIOCH	Inverurie	<input type="checkbox"/>
	Kintore	<input type="checkbox"/>
KINCARDINE AND MEARNS	Inverbervie	<input type="checkbox"/>
	Laurencekirk	<input type="checkbox"/>
	Stonehaven	<input type="checkbox"/>
MARR	Ballater	<input type="checkbox"/>
	Banchory	<input type="checkbox"/>
	Huntly	<input type="checkbox"/>

PLEASE NOTE THAT EACH COMMON GOOD FUND CAN ONLY BE USED FOR THE BENEFIT OF THE PEOPLE OF THAT AREA ONLY.

SECTION 1: TO BE COMPLETED WHERE APPLICANT IS AN INDIVIDUAL PERSON

(If making application on behalf of an organisation/group please go to Section 2 below)

1.1 Full Name		
1.2 Address		
	1.3 Postcode	
1.4 Tel No		
1.5 Fax		
1.6 E-Mail Address		

1.7 Background Information
Please give a summary of the role that you play within the community

1.8 Aims and Objectives of Your Work
What are the aims and objectives of your work within the community including types of services provided and target client groups?

1.9 If applicable, how many people in the town regularly use the services/facilities offered by your organisation			
1.10 Please indicate how many are	Male	Female	Disabled
1.11 Do you make a charge to your users	YES <input type="checkbox"/>	NO <input type="checkbox"/>	If "yes" please give details below

1.12 Do you re-invest income raised back into the project? YES/NO If “Yes”, please give details of how the income is re-invested below. If “No”, please provide details of what happens to profit.

Now go to Section 3 below

Aims and Objectives of Your Organisation
2.12 What are the aims and objectives of your organisation, including its current role in the community, types of services provided and target client groups?

2.13 If applicable, how many people in the Town regularly use the services/facilities offered by your organisation			
2.14 Please indicate how many are	Male	Female	Disabled
2.15 Do you make a charge to your users	YES <input type="checkbox"/>	NO <input type="checkbox"/>	If “yes” please give details below
2.16 Do you have a membership scheme	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
2.17 How many members belong to your organisation?			
2.18 How many Members are	Male	Female	Disabled
2.19 Please give details of your membership fees			
2.20 Does your organisation have a constitution	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
If “yes” please submit a copy of your constitution with your application			
2.21 Do you re-invest income raised back into the organisation? YES/NO If “Yes”, please give details of how the income is re-invested below. If “No”, please provide details of what happens to profit.			

Now go to Section 3 below

SECTION 3: TO BE COMPLETED BY ALL APPLICANTS

3.1 What will you use the money for if successful?

3.2 Please detail the total cost of your proposals (quotes are required for works over £5,000)

ITEM OF EXPENDITURE	COST
TOTAL COST	
AMOUNT REQUESTED	

3.3 Have you applied for any other sources of funding YES NO

Organisation	Date of App	Amount Requested	Amount Awarded	Date Award Expected

Declaration

I confirm that, to the best of my knowledge, all the answers given above are true and accurate. I understand that the details contained in this form will be processed by Aberdeenshire Council. I am aware that, by submitting this application, I am agreeing to the publication of the details contained in this application in any form deemed appropriate by Aberdeenshire Council. I also understand that the amount of conditions of any award granted will be made public.

Please sign and date EITHER Section A OR Section B below, as appropriate

A: Where application is made by an individual:

Signed

Dated

OR

B: Where Application is made on behalf of an Organisation or Group

I confirm I am authorised to sign this declaration on behalf of (insert name of organisation below)

Signed

Dated

SHOULD THE PURPOSE OF THIS REQUEST FOR FUNDS NOT BE CARRIED OUT, REPAYMENT OF THE FULL AMOUNT WILL BE REQUESTED.

Please attach the relevant enclosures.

Enclosures

- Most Recent Accounts (audited where possible)

- Constitution or membership documentation
- Quotes (where appropriate)

Please submit this form to

The Kincardine & Mearns Area Manager's Office
Viewmount
Arduthie Road
Stonehaven
AB39 2DQ

E-mail: kincardineandmearns@aberdeenshire.gov.uk

Telephone: 01467 534684

**IF YOU HAVE ANY QUERIES REGARDING COMPLETION OF THIS FORM,
OR REQUIRE FURTHER ASSISTANCE, PLEASE CONTACT THE RELEVANT
AREA MANAGERS OFFICE**

PRIVACY NOTICE

The Data Controller of the information being collected is Aberdeenshire Council.

The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AN.

Email: dataprotection@aberdeenshire.gov.uk

Your information is being collected to use for the following purposes:

- The processing of your application for a common good application
- The determination of your application for a common good application
- Inclusion on the Register of Common Good Applications available for public inspection
- Ensuring compliance with the terms of the Common Good funds awarded
- The processing of any complaints made in respect of your Common Good Fund application or award
- The determination of any complaints made in respect of your Common Good Fund application or award

Your information is:

Being collected by Aberdeenshire Council

The legal Basis for collecting the information is:

Personal Data		Special categories of personal data	
Consent		The data subject has given explicit consent to the processing	
Performance of a Contract		Processing is necessary for the purposes of carrying out the obligations of the controller or of the data subject in the field of employment, and social security and social protection law	
Legal Obligations	X		
Vital Interests		Processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent	
Task carried out in the Public Interest		Processing relates to personal data which are made public by the data subject	

Legitimate Interests ¹	Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity	
	Processing is necessary for reasons of substantial public interest	
	Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment, or the management of health or social care systems	
	Processing is necessary for reasons of public interest in the area of public health	
	Processing is necessary for archiving purposes in the public interest , scientific or historical research purposes or statistical purposes	

Where the legal basis for processing is either Performance of a contract or Legal obligation, please note the following consequences of failure to provide the information:

If you fail to provide the information required on the attached application form, Aberdeenshire Council may not be in a position to accept the application as a competent application. This means that your application cannot be processed and will be returned to you.

Your information will be shared with the following recipients or categories of recipient:

- *The Area Manager's staff*
- *Local Area Committee, where necessary*
- *Some information will also be shared with the Public via the Register of Common Good Applications*
- *Members of Legal and Finance Staff*
- *Local Ward Members*

Your information will be transferred to or stored in the following countries and the following safeguards are in place:

NOT APPLICABLE

The retention period for the data is:

- (1) Where an application for the award of money from the Common Good Fund is refused, either by the Area Manager or the Area Committee, information relating to that application will be retained for a period of 7 years from the **date of refusal** and thereafter will be destroyed
- (2) In any other case, information relating to an award of money from the Common Good Fund will be retained for a period of 7 years from the date the award is **granted** and will thereafter be destroyed

The following automated decision-making, including profiling, will be undertaken:

Not Applicable

Please note that you have the following rights:

- to withdraw consent at any time, where the legal basis specified above is consent;
- to lodge a complaint with the Information Commissioner's Office;
- to request access to your personal data;
- to data portability, where the legal basis specified above is:
 - (i) Consent; or
 - (ii) Performance of a contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.

I confirm that I have read and understood the Privacy Notice

I understand that I have the right to withdraw this consent at any time by contacting kincardineandmearns@aberdeenshire.gov.uk

Name

Date

Signature

PART B: ABERDEENSHIRE COUNCIL'S COMMON GOOD POLICY



Aberdeenshire Council

Common Good Fund Policy

What are Common Good Funds?

Common Good Funds are generally made up of property (including land, buildings, investments and movable items) that belonged to the previous burghs of Scotland.

The responsibility for administering these funds now rests with the local authorities throughout Scotland. Aberdeenshire Council is responsible for administering 17 Common Good Funds, the details of which are listed below:

AREA COMMITTEE	NAME OF COMMON GOOD FUND AND AREA COVERED	APPLICABLE COUNCIL WARD
BANFF AND BUCHAN	Aberchirder	1
	Banff	1
	Fraserburgh	3
	Macduff	2
	Portsoy	1
	Rosehearty	2
BUCHAN	Peterhead	5/6
FORMARTINE	Oldmeldrum	8
	Turriff	7
GARIOCH	Inverurie	11
	Kintore	12
KINCARDINE AND MEARNS	Inverbervie	19
	Laurencekirk	19
	Stonehaven	18
MARR	Ballater	15
	Banchory	16
	Huntly	14

These Common Good Funds, although, held by the Council are legally distinct from the Council's other funds, and any money held within these Funds, including the income from any assets which make up these Funds, are to be used solely for the overall benefit of the people who reside in the area covered by the applicable Fund.

The Council, however, does retain discretion in terms of how these funds and their income is used and, for example, may decide to acquire land for public use (e.g. formation of a public park) or maintain a publically owned building (e.g. maintaining the local town hall) using the funds where the action taken is deemed to be for the overall benefit of the local community.

Further to this the Council also considers applications for funding in respect of each of the aforementioned Common Good Funds, from individuals or organisations who live or operate in the area covered by the specific Fund and who provide services which are aimed at benefiting their community.

The 17 Funds listed in the table above vary in size and as a result what can be achieved in each area using these funds will differ as will the opportunity for individuals or organisations to secure funding.

The Council has therefore developed the following policy and procedures when it comes to administering these Funds.

What can Common Good Funds be used for?

The actual use of Common Good funds has been determined by the Courts over the years, and local authorities have a very wide discretion as to how the funds are distributed, provided that local authorities honestly exercise their discretion and that the use of common good funds is not contrary to policy² or for unlawful purposes³.

The Courts have decided that Common Good monies may be used for the following:-

a) **“Upholding the dignity of the Burgh”**

This involves matters relating to civic ceremonies and related hospitality for appropriate officials and guests, such as town twinning events.

b) **The prudent management, upkeep and improvement of common good fund property, whether such property is used by the general public or held for investment purposes**

This relates to the management and maintenance of Common Good land and buildings for public use

c) **Safeguarding the corporate rights of the community and defending its interests**

This could be used to develop or promote a coat of arms or civic identity.

d) **Granting donations to public institutions or charities**

Such donations must be granted to benefit the interests of the general public of the relevant area.

e) **Any other purpose which in the bona fide and reasonable judgement of the council, is for the good of the community as a whole, as opposed for the interest and benefit of any particular group or individual.**

² Test set out in *Graham v Glasgow Corporation* (1936)(SLT) 145

³ *Kemp v Glasgow Corporation* (1920)SC(HL) 73

The Courts have stated that they will “*only interfere with Local Authorities discretion if its acting’s are shown to be (1) ultra vires⁴, (2) illegal, (3) contrary to public policy, (4) contrary to the general interests and welfare of the community as a whole, (5) not within their proper discretion (6) not an honest exercise of their discretion (7) vitiated⁵ by abuse or malversation⁶”.*

Aberdeenshire Council has determined that Festive Light Displays and Town Twinning fall into this category.

Festive Light Displays

The following eligibility criteria apply to applications for Festive Light Displays:-

1. Groups can apply for new lights only. Repair, maintenance, installation and storage costs will not be supported,
2. Groups can source 50% of the total cost of the purchase of new lights from this fund to a maximum of £1,500,
3. Groups can only access this fund once every three years,
4. Support will only be given for displays which use energy efficient technology and focus on town centres or the main village thoroughfares

LOCAL VARIATION – This criteria does NOT apply within the Buchan Area of Aberdeenshire

Town Twinning

Applications for funding may be acceptable for contributions towards the establishment of new Town Twinning Schemes where evidence is shown that there will be benefits to the whole community. This may include travel expenses for an initial visit only.

Funds distributed from the Common Good will be recovered from the applicant if not used as applied for.

What can't Common Good Funds be used for?

Common Good Funds **cannot** be used for –

- Activities promoting religious or political beliefs

⁴ ultra vires – beyond the powers

⁵ vitiated - invalidate

⁶ malversation – corruption

- Travel costs for exchange visits or trips unless it can clearly be demonstrated that there is a benefit to the wider community.
- Administrative costs for community councils over and above their annual grant from Aberdeenshire Council
- Applications to cover an organisation's running costs or capital investments
- Applications for projects which another organisation has a legal right or duty to provide
- Projects that do not benefit the wider community
- Applications from individuals or organisations that do not live or operate within the area covered by the particular Common Good Fund
- Organisations seeking to make a profit using Common Good Funding where those profits are not reinvested back into the project.

Who makes decisions about distributing Aberdeenshire's Common Good Funds?

Aberdeenshire Council's Scheme of Governance sets out the powers available to Committees and Officers in relation to Common Good Funds within Aberdeenshire.

The power to approve policy

Section C of Part 2A– List of Committee Powers Section 2.6 gives power to the **Business Services Committee** to approve policies for the management and investment of any funds including the common good.

The power to administer Common Good Funds

Section B of Part 2A – List of Committee Powers Section 2.1 gives **Area Committees** authority to administer Common Good Funds and trusts controlled by the Council for the benefit of their Area.

All Area Committees have been consulted on this policy and have agreed to administer the Common Good Funds for their Area in accordance with this Policy.

Practicalities

Part 2A – List of Committee Powers – General Provisions Section 7 permits an Area Committee to delegate to an Officer any of the functions which have been delegated to the Committee.

Section 8 allows a Committee to delegate to Sub-Committees.

Part 2B – List of Officer Powers – Section D Business Services

Section 1.4 gives Area Managers authorisation to process applications in terms of the Council's Common Good Fund Procedures, as follows:

- 1.4 process applications for financial assistance requests from the Council's common good funds in terms of the Council's common good procedures; and to
 - a. Determine the competency of applications in terms of the Council's Common Good Policy, following consultation with the Head of Finance and Head of Legal and Governance; and
 - b. Approve awards of financial assistance from common good funds, following consultation with the relevant Ward Members, where there is majority agreement:
 - (i) that an awards can be made; and
 - (ii) as to the amount of money that is to be awarded;failing which the matter is to be referred to the relevant Area Committee for determination.

In terms of the Financial Regulations, Section 4.10.1 states that the Council shall make the necessary arrangements for the proper administration of each Trust Fund in accordance with the conditions laid down by the Trust or other deed.

Capital Expenditure

Local Authorities have a statutory duty to keep the scale of their capital investment under review.

The Finance Service must be consulted on the implications when appraising any request which has or may have a capital implication.

Payments from Revenue

Payments made from any particular Common Good Fund in any one year should not exceed the level of income it is anticipated will be generated in that year. This is a prudent view which seeks to ensure the ongoing viability of the Fund.

There are, however, times when Members may wish to make a payment of a level greater than the income generated in that year. In order to allow for this any unspent revenue income from previous years can also be considered available to spend.

Policy Status (circle as appropriate)	<i>Approved and Finalised</i>
Responsible Officer	<i>Fiona M. Stewart Senior Solicitor (Democratic Services) Governance Team Legal and Governance Business Services</i>
Policy Sponsor	<i>Director of Business Services</i>
Authorised by	<i>Business Services Committee</i>
Approval Date	<i>20th April 2017</i>
Review Date	<i>April 2019</i>

PART C: INFORMATION FOR APPLICANTS



INFORMATION FOR APPLICANTS ON COMMON GOOD FUNDS

WHAT ARE COMMON GOOD FUNDS?

Common Good Funds are generally made up of property (including land, buildings, investments and movable items) that belonged to the previous burghs of Scotland.

There are 17 funds in Aberdeenshire. Various common good properties and facilities generate income for these funds and the Council has a policy in place which sets out how that income can be used.

If sufficient income is available, funding can be provided for projects that benefit people living in the former burghs.

WHO CAN APPLY?

- An individual
- A non-profit making, constituted group
- A partnership of various groups

WHO CAN'T APPLY?

- Companies or organisations or groups that aim to make a profit

WHAT CAN WE FUND?

The Council may be able to award you money if you can show that your project relates to at least one of the criteria set out in the Council's Common Good Fund Policy (see Part B) above.

Your project could combine a range of different activities but must show direct community-wide benefit.

HOW MUCH CAN YOU GET?

The amount of funding available varies from fund to fund. You can get an indication of the level of each fund including annual income from our website at <http://www.aberdeenshire.gov.uk/communities-and-events/funding/kincardine-and-mearns/>

The money you request should be realistic and give value for money. The Council expects that you will also contribute something towards the project. This need not necessarily be money, but something in kind, such as time, materials, transport or use of premises. If your group has more savings than the amount of money you are applying for, you should explain to the Council what you're planning to do with this money. If you have not set aside this money for anything in particular, it is not likely that the Council will award you any funding.

You should only make one application at a time.

WHAT CAN'T WE FUND?

- Activities promoting religious or political beliefs
- Travel costs for exchange visits or trips unless there is a wider benefit to the local community
- Administrative costs for community councils over and above their annual grant from Aberdeenshire Council
- Applications to cover an organisation's running costs or capital investments
- Applications for projects which another organisation has a legal right or duty to provide
- Projects that do not benefit the wider community
- Applications from individuals or organisations that do not live or operate within the area covered by the particular Common Good Fund
- Organisations seeking to make a profit using Common Good Funding

HOW DO WE APPLY?

You can get an application form

- By phoning your local area office.
- In person from any Area Office
- By downloading a form at <http://www.aberdeenshire.gov.uk/communities-and-events/funding/kincardine-and-mearns/>

The content of this publication, or sections of it, can be made available in alternative formats or translated into other languages. Please contact your Local Area Manager for further assistance.

WHAT DO I DO NEXT?

Make sure you complete the application form as fully as possible. If the Council has to ask for any additional information, this delays your application.

Applications will take approximately two months to process so make sure you submit your application in plenty of time. Please note that the timescale for processing a significant funding request may be much longer to enable the Council to consider the priority of the project in relation to other requests against the particular Common Good Fund.

When you submit your application for, you must also enclose the other documents required, which are:

- Most Recent Accounts (audited where possible)
- Constitution or membership documentation
- Quotes (where appropriate)

If you have any other information that you would like to submit in support of your application, please do so

WHERE DO I SEND MY APPLICATION FORM?

You can send your application form, with the required documents to:

The Kincardine & Mearns Area Manager's Office
Viewmount
Arduthie Road
Stonehaven
AB49 2DQ

Alternatively, you can complete your application and e-mail it with the required documents to: kincardineandmearns@aberdeenshire.gov.uk

WHAT HAPPENS NEXT?

Your application and additional documents will be checked to see if everything is complete. If your application is not complete, you will be contacted for the missing information. This may involve returning the application to you. An incomplete form will certainly cause delay so please make sure you submit everything that is needed to process the application.

Once the Council is satisfied that the application is complete, you will receive an acknowledgement of the application within five working days. This will include a reference number for the application. You should use this reference number in any correspondence with the Council relating to the application.

Your application will then be assessed and a determination will be made by the Area Manager that your application is competent in terms of the criteria set out in the Council's Common Good Policy.

Then either:

- If your application is deemed not to be competent, you will be notified of the reasons why your application is not competent. The application will not be processed further; or
- You will be notified if your application is competent and that your application will be processed further.

Competent applications will then be processed further and a decision will be made in respect of your application, either by an officer, following consultation with the relevant Members, or by the relevant Area Committee, where agreement cannot be reached

WHAT HAPPENS ONCE A DECISION IS MADE?

You will receive a letter advising you that your application has been successful and telling you how much funding has been awarded and when it will be paid.

You must spend the money within one year of the date on the award letter and complete and end-of project monitoring report.

You will need to submit copies of receipts where funding is for the purchase of equipment, materials etc. prior to payment being made.

If your application is not successful, you will receive a letter advising you of the reasons why.

YOU CAN APPLY AGAIN

Applications are welcome from groups or individuals who have received funding previously. Once you have spent your funding and you have submitted your end-of-project monitoring report, you can apply again.

Each application will be considered individually and there is no guarantee that further funding will be awarded.

If you have had an application turned down, you can also apply again. You will always be advised of the reasons why applications were not successful.

PLEASE READ THIS SECTION CAREFULLY

YOU MUST READ, UNDERSTAND AND ACCEPT THIS SECTION BEFORE YOU APPLY TO THE COUNCIL

ALL OUR DECISIONS ON APPLICATIONS ARE FINAL

- Once funding is paid out, the Council is not committed to give you any more funding for the same project.
- The application form may not necessarily provide all the information required to make a decision on your application. The Council can ask you for additional information.
- Do not try to influence the success of your application by approaching any Council staff or Elected Members after you have submitted your application
- The Council may use your name/the name of your organisation or group in its own publicity material and may ask you to participate in a photo call
- **By signing the application form, you agree that all the information is true and that the enclosed documents are current, accurate and approved or adopted by you or your organisation or group**

WHAT WILL THE COUNCIL DO?

The Council aims to:

- Be easy to contact for a wide range of organisations and communities, large and small, and make special efforts to give all individuals and groups the same chance to apply for funding
- Give funding that reflects the culture and ethnic origin of groups and communities across Aberdeenshire
- Be open and responsible, fair and balanced in the way we do things; and
- Offer equal opportunities in all areas of our funding.

The Council will:

- Monitor and assess what we do, to make sure that we are providing the best service we can
- Answer all questions quickly, professionally and politely
- Assess all applications against the Common Good Fund Policy Criteria; and
- Make sure that everyone who applies for funding is treated fairly

Being Polite and Helpful

The Council aims to be efficient, polite and supportive in everything it does. We can assist you in completing your application form

We want your Comments and Suggestions

We are committed to giving you helpful information in the best way possible. If you have any comments or suggestions about how we could do things better, please let us know.

PART D: MODEL APPLICATION



COMMON GOOD FUND – APPLICATION FOR ASSISTANCE

Aberdeenshire Council manages several common good funds. Please cross the box for the particular common good fund that your application relates to -

AREA COMMITTEE	NAME OF COMMON GOOD FUND AND AREA COVERED	PLEASE CROSS THE APPLICABLE FUND
BANFF AND BUCHAN	Aberchirder	<input type="checkbox"/>
	Banff	<input type="checkbox"/>
	Fraserburgh	<input type="checkbox"/>
	Macduff	<input checked="" type="checkbox"/>
	Portsoy	<input type="checkbox"/>
	Rosehearty	<input type="checkbox"/>
BUCHAN	Peterhead	<input type="checkbox"/>
FORMARTINE	Oldmeldrum	<input type="checkbox"/>
	Turriff	<input type="checkbox"/>
GARIOCH	Inverurie	<input type="checkbox"/>
	Kintore	<input type="checkbox"/>
KINCARDINE AND MEARNS	Inverbervie	<input type="checkbox"/>
	Laurencekirk	<input type="checkbox"/>
	Stonehaven	<input type="checkbox"/>
MARR	Ballater	<input type="checkbox"/>
	Banchory	<input type="checkbox"/>
	Huntly	<input type="checkbox"/>

PLEASE NOTE THAT EACH COMMON GOOD FUND CAN ONLY BE USED FOR THE BENEFIT OF THE PEOPLE OF THAT AREA ONLY.

1.11 Do you make a charge to your users	YES <input type="checkbox"/>	NO <input type="checkbox"/>	If “yes” please give details below
1.12 Do you re-invest income raised back into the project? YES/NO If “Yes”, please give details of how the income is re-invested below. If “No”, please provide details of what happens to profit.			

Now go to Section 3 below

SECTION 2: TO BE COMPLETED WHERE APPLICATION IS MADE ON BEHALF OF AN ORGANISATION OR GROUP		
2.1 Name of Organisation	MACDUFF DISTRICT COMMUNITY COUNCIL	
2.2 Address of Organisation	C/O 14B HIGH STREET, MACDUFF	
	2.3 Postcode	AB44 1LR
2.4 Registered Charity Number (where applicable)	NOT APPLICABLE	
2.5 Name of Contact Person	JANE SMITH (Secretary)	
2.6 Address of Contact Person	14B HIGH STREET, MACDUFF	
	2.7 Postcode	AB44 1LR
2.8 Tel No	0779718734	
2.9 Fax	Not Applicable	
2.10 E-Mail Address	Jane.Smith.Secretary.MCDCC@yahoo.co.uk	

Background Information	
2.11 Please give a summary of the history of your organisation, including when it was formed, links to any parent body etc.	
<p>The Banff and Macduff Community Council is a voluntary body established under the Council's Scheme of Establishment of Community Councils, although the Community Council has been in place for a number of years, the current Community Council is formed under the new Scheme of Establishment which was adopted by the Council on the 1st of April 2018.</p>	

Aims and Objectives of Your Organisation
2.12 What are the aims and objectives of your organisation, including its current role in the community, types of services provided and target client groups?
As a Community Council it is our role to ascertain, co-ordinate and express the views of our communities in respect of various matters and ensure that the Council is informed of their needs and wishes, we aim to ensure that all groups within our communities have a voice, as well as representing the views of our communities and informing the Council of these we also take an active role in community events such as the provision of Christmas lights and other social events aimed at bring everyone within our communities together.

2.13 If applicable, how many people in the Town regularly use the services/facilities offered by your organisation	Everyone in our community is welcome.		
2.14 Please indicate how many are	Male	Female	Disabled
	-	-	-
2.15 Do you make a charge to your users	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	If “yes” please give details below
2.16 Do you have a membership scheme	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	
2.17 How many members belong to your organisation?			
2.18 How many Members are	Male	Female	Disabled
2.19 Please give details of your membership fees			
2.20 Does your organisation have a constitution	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	
If “yes” please submit a copy of your constitution with your application			
2.21 Do you re-invest income raised back into the organisation? YES/NO If “Yes”, please give details of how the income is re-invested below. If “No”, please provide details of what happens to profit.			
Any funds which we receive from our work are held by the Community Council for the purpose of providing a benefit to the communities we serve, no individual or member of the Community Council profits from the income / funds which we receive, any income / funds received are held in our account and full accounting records are kept in terms of the funds received and our spend.			

Now go to Section 3 below

SECTION 3: TO BE COMPLETED BY ALL APPLICANTS				
3.1 What will you use the money for if successful?				
To pay for the erection and supplementary work required in terms of the 'Macduff Cool' statute which was designed and sculpted by local artist Jim Buchan, the cost of purchasing the statute has been met by the local community through fundraising and sponsorship, unfortunately the funds raised do not cover the erection works required nor the supplementary work in placing this statute in the town centre as a piece of local interest and also a tourist attraction, this includes the cost of the erection of the statue as well as the provision of lighting.				
3.2 Please detail the total cost of your proposals (quotes are required for works over £5,000)				
ITEM OF EXPENDITURE		COST		
Erection of Statute (incl. Plinth, Rendering etc.)		£1,950.00		
Lighting (To enhance display of statute)		£850.00		
TOTAL COST		£2,800.00		
AMOUNT REQUESTED		£2,800.00		
3.3 Have you applied for any other sources of funding		YES <input type="checkbox"/>		NO <input checked="" type="checkbox"/>
Organisation	Date of App	Amount Requeste	Amount Awarde	Date Award Expected

Declaration

I confirm that, to the best of my knowledge, all the answers given above are true and accurate. I understand that the details contained in this form will be processed by Aberdeenshire Council. I am aware that, by submitting this application, I am agreeing to the publication of the details contained in this application in any form deemed appropriate by Aberdeenshire Council. I also understand that the amount of conditions of any award granted will be made public.

Please sign and date EITHER Section A OR Section B below, as appropriate

A: Where application is made by an individual:

Signed

Dated

OR

B: Where Application is made on behalf of an Organisation or Group

I confirm I am authorised to sign this declaration on behalf of (insert name of organisation below)

Signed

Dated

SHOULD THE PURPOSE OF THIS REQUEST FOR FUNDS NOT BE CARRIED OUT, REPAYMENT OF THE FULL AMOUNT WILL BE REQUESTED.

Please attach the relevant enclosures.

Enclosures

- **Most Recent Accounts (audited where possible)**
- **Constitution or membership documentation**
- **Quotes (where appropriate)**

Please submit this form to

**The Banff and Buchan Area Manager's Office
Education & Children's Services
Town House
34 Low Street
Banff
AB45 1AN**

E-mail: banffandbuchanamo@aberdeenshire.gov.uk

Telephone: 01467 537131

PRIVACY NOTICE

The Data Controller of the information being collected is Aberdeenshire Council.

The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AN.

Email: dataprotection@aberdeenshire.gov.uk

Your information is being collected to use for the following purposes:

- The processing of your application for a common good application
- The determination of your application for a common good application
- Inclusion on the Register of Common Good Applications available for public inspection
- Ensuring compliance with the terms of the Common Good funds awarded
- The processing of any complaints made in respect of your Common Good Fund application or award
- The determination of any complaints made in respect of your Common Good Fund application or award

Your information is:

Being collected by Aberdeenshire Council

The legal Basis for collecting the information is:

Personal Data		Special categories of personal data	
Consent		The data subject has given explicit consent to the processing	
Performance of a Contract		Processing is necessary for the purposes of carrying out the obligations of the controller or of the data subject in the field of employment, and social security and social protection law	
Legal Obligations	X		
Vital Interests		Processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent	
Task carried out in the Public Interest		Processing relates to personal data which are made public by the data subject	

Legitimate Interests ⁷	Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity	
	Processing is necessary for reasons of substantial public interest	
	Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment, or the management of health or social care systems	
	Processing is necessary for reasons of public interest in the area of public health	
	Processing is necessary for archiving purposes in the public interest , scientific or historical research purposes or statistical purposes	

Where the legal basis for processing is either Performance of a contract or Legal obligation, please note the following consequences of failure to provide the information:

If you fail to provide the information required on the attached application form, Aberdeenshire Council may not be in a position to accept the application as a competent application. This means that your application cannot be processed and will be returned to you.

Your information will be shared with the following recipients or categories of recipient:

- *The Area Manager's staff*
- *Local Area Committee, where necessary*
- *Some information will also be shared with the Public via the Register of Common Good Applications*
- *Members of Legal and Finance Staff*
- *Local Ward Members*

Your information will be transferred to or stored in the following countries and the following safeguards are in place:

NOT APPLICABLE

The retention period for the data is:

- (3) Where an application for the award of money from the Common Good Fund is refused, either by the Area Manager or the Area Committee, information relating to that application will be retained for a period of 7 years from the **date of refusal** and thereafter will be destroyed
- (4) In any other case, information relating to an award of money from the Common Good Fund will be retained for a period of 7 years from the date the award is **granted** and will thereafter be destroyed

The following automated decision-making, including profiling, will be undertaken:

Not Applicable

Please note that you have the following rights:

- to withdraw consent at any time, where the legal basis specified above is consent;
- to lodge a complaint with the Information Commissioner's Office;
- to request access to your personal data;
- to data portability, where the legal basis specified above is:
 - (i) Consent; or
 - (ii) Performance of a contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.

I confirm that I have read and understood the Privacy Notice X

I understand that I have the right to withdraw this consent at any time by contacting banffandbuchaamo@aberdeenshire.gov.uk X

JANE SMITH

8th April 2018

Jane Smith

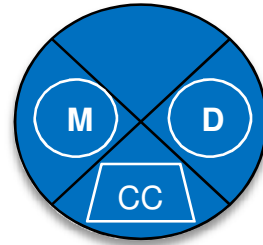
Name

Date

Signature

MACDUFF DISTRICT COMMUNITY COUNCIL

Statement of Income and Expenditure – 2017-2018



Balance at start of year: £2,610.67

Total Income £1,800.00

Made up as follows:

'Macduff Coo' Project

Collection tins: £ 100.00
Donations (local businesses) £ 900.00

Others Projects:

Community Council Project Grant (Grow your own project) £ 400.00
Administration Grant £ 400.00

Please Note: *Vouching for income available and has been checked*

Total Expenditure £2,900.00

Made up as follows:

Purchase of 'Macduff Coo' £ 1,000.00
Secretary / Treasurer's Expenses £ 250.00
Data Protection Registration £ 35.00
Remembrance Wreath £ 55.00
'Grow Your Own – Project' (Tools, Training, Set Up Costs) £ 400.00
Picnic Benches £ 500.00
Clean Up Project (Dog Waste Bags, Plants, Toilet Cleaning etc.) £ 400.00
Christmas Lights (Replacement of Broken Lights) £ 260.00

Please Note: *Vouching for spend available and has been checked.*

Bank Balance at end of the year: £1,510.67

DECLARATION:

I hereby certify that the above information is correct:

SIGNED: John P. Duncan MSc MCIBS

John P. Duncan

Date: 31 March 2018

MACDUFF DISTRICT COMMUNITY COUNCIL CONSTITUTION

NAME

1. The name of the Community Council shall be MACDUFF DISTRICT COMMUNITY COUNCIL (“the Community Council”)

OBJECTS AND FUNCTIONS

2. The objects and function of the Community Council shall be:
- 2.1 To proactively identify and assess issues of concern to its local community. Taking into account views expressed by the public and any other relevant evidence, it should either take such action as it considers to be suitable or convey its finding and conclusions to the relevant authority for consideration.
 - 2.2 To promote the well-being of the community resident within the Community Council boundaries (“the Community Council Area”) and comply with equal opportunities legislation that makes it unlawful to discriminate against persons or groups on the grounds of race, gender, gender recognition, disability, age, sexual orientation and religion or belief.
 - 2.3 To be a means whereby the people of the Community Council Area shall be able to voice their opinions on any matter affecting their lives, their welfare, their environment, its development and amenity.
 - 2.4 Provided that the Community Council shall be non-party political and non- sectarian in its discussions and decision making and shall comply with data protection and other relevant legislation.

MEMBERSHIP OF COMMUNITY COUNCIL

3. The Community Council shall consist of not fewer than 7 and not more than 14 persons elected by persons resident within the Community Council Area. (“the Community Councillors”) and such persons shall be eligible in accordance with Section 3.1 below. In addition to the Community Councillors the Community Council shall consist of Junior Members and Ex-Officio Members and the Community Council may appoint Associate Members.
- 3.1 Community Councillors should:
- a. be aged 16 years or over, and
 - b. reside in the Community Council Area and be on the Electoral Register, or

- c. have had their ordinary or principle residence in the Community Council Area for at least three months prior to nomination, and
- d. not be elected to serve on Aberdeenshire Council, or the Scottish, UK or European Parliaments.

3.1.1 Provided that the Community Council has a maximum of two places available for Community Councillors who do not reside in the Community Council Area and

- a. are permanently employed, or carry out regular self-employed work or voluntary work in the Area of the Community Council; or
- b. own a business in the Area of the Community Council.

3.1.2 Any Community Councillor who no longer meets the eligibility set out in this section, in Section 3.7 below and/or has been disqualified in accordance with Section 9 of the Scheme for the Establishment of Community Councils (“the Scheme”) is not eligible to be a Community Councillor of the Community Council

3.1.3 Any serving Community Councillor who is elected to serve on Aberdeenshire Council, or the Scottish, UK or European Parliaments shall be ineligible to remain as a Community Councillor.

3.2 Junior Members

The Community Council will provide two [or more places] in addition to its maximum general membership, for persons aged 14 and 15 who live and/or are educated within the Community Area. Such persons will have full voting rights but shall not hold office in the Community Council. Such persons cannot be counted as part of any quorum or the minimum or maximum number of the Community Council.

3.3 Ex-Officio Members

The Aberdeenshire Councillors for the area covered by the Community Area shall have ex officio membership of the Community Council during their period of office for the Council but shall not be eligible to vote or hold office in the Community Council. No Aberdeenshire Councillor may be a member of a Community Council other than in an ex officio capacity; and

3.4 Associate Members:

The Community Council may engage Associate Members with skills, knowledge and interests which the Community Council consider would be of assistance to the Community Council in carrying out its functions. Associate Members shall not have voting rights and shall not hold office within the Community Council. Associate Members will serve for such time as may be determined by the Community Council at the time of their engagement or until the Community Council decide that their services are no longer required and do not form part of the quorum or minimum or maximum number of Community Councillors.

3.5 Co-option of Members

- a. The Community Council may, when its elected membership is above the minimum number of Community Councillors specified in Section 3 above may co-opt persons who would be eligible for election to the Community Council as Community Councillors in accordance with Section 3.1. The number of Community Councillors so co-opted may not at any time exceed one quarter of the maximum number of Community Councillors.
- b. The proposed members must be elected onto the Community Council by a two thirds majority of the Community Councillors present and voting. Such co-opted members shall have full voting rights and will serve until the next round of elections. Notice of any proposed co-option procedure is required to be intimated to all of the Community Council's members and the Area Manager at least 10 working days prior to the meeting when the matter of co-option will be decided.

3.6 The allocation of Community Councillors between the areas within the Community Area shall be as follows: Banff: 8 and Macduff 6.

3.7 Membership of the Community Council is disqualified in the following circumstances-

- a. When the Community Councillor's eligibility qualification within that Community Council area ceases to exist.
- b. If any Community Councillor of the Community Council fails to attend three successive Community Council meetings, with or without submitting apologies, the Community Council may terminate their membership provided that the termination of the membership must be an item on a meeting agenda and must be carried with a two thirds majority vote of those present and voting provided that at the discretion of the Community Council, a period of leave of absence of up to six months for the Community Council member may be granted and minuted at any meeting of the Community Council. This period may be reviewed by the Community Council

ELECTIONS

- 4.1 Vacancies will be advertised in accordance with the Scheme before the Annual General Meeting and an Election will be held if there are more nominations than vacancies.
- 4.2 The Council will administer all elections and will appoint a Returning Officer at the commencement of the election period.
- 4.3 Except as otherwise provided by this paragraph, Community Councillors shall hold office for 3 years and shall be eligible for re-election.
- 4.4
 - a. Persons seeking election to the Community Council shall be nominated as prescribed in the Scheme and nominations shall be lodged with the Returning Officer by a prescribed time and date.
 - b. In the event of the number of persons remaining validly nominated for election to the Community Council exceeding the number of vacancies, the election shall be by a secret ballot paper containing a list of the persons validly nominated. The said election shall be arranged by the Council in consultation with the Community Council in terms of the Scheme.
 - c. In the event of any casual vacancy or vacancies the Community Council in consultation with Aberdeenshire Council shall arrange to hold an election in the prescribed way.

- d. The Community Council may, where its elected membership is at or above the prescribed minimum number and does not comprise the maximum number of Community Councillors, co-opt persons who would be eligible for election to the Community Council as members. The number of members so co-opted may not at any time exceed one quarter of the maximum number of Community Councillors.
- e. Co-opted members must be elected onto the Community Council by a two-thirds majority of Community Councillors being present and voting. Notice of any proposed co-option procedure is required to be intimated to all that Community Council's members at least 10 working days prior to the meeting when the matter will be decided.
- f. Members so co-opted may serve until the next ordinary election to that Community Council, with full voting rights.
- g. The Community Council may also engage Associate Members to the Community Council being any person or persons (resident either within or without the Community Area) and
 - i. such persons shall be engaged only for such period or respective periods as shall be agreed by the Community Council at their time of engagement or until the Community Council decides that their services are no longer required and
 - ii. such person or persons shall not be entitled to vote.

MEETINGS

- 5.1 During the month of June in each year the Community Council shall convene an Annual General Meeting (AGM), the agenda for which shall include items for receiving the Community Council's Annual Report and the independently verified Statement of Accounts, reports on any elections, provision when necessary for considering and voting on proposals for amendment of the Community Council's Constitution all in accordance with Appendix 1 below.
- 5.2 The Community Council shall meet throughout the year at intervals [here state frequency, not less than five ordinary meetings and one AGM in any twelve-month period]; the dates of regular meetings during the remainder of the year shall be agreed at the AGM.
- 5.3 The Community Council shall, upon receipt of a requisition signed by twenty electors within the Community Area, convene a special meeting, to be held within 15 working days of receipt of that requisition, or such shorter period as may be specified by the Community Council, to consider the business which must be specified in the requisition and in the notice calling the meeting.

OFFICERS OF THE COMMUNITY COUNCIL

- a. The Community Council, at its first meeting after the initial and subsequent elections, shall elect one of its members to be Chairperson and may elect one of its members to be Vice-Chairperson.
 - b. The Chairperson and Vice-Chairperson shall continue in office until their respective successors are elected.
 - c. The Community Council shall appoint and shall have power to dismiss a Secretary and a Treasurer whether or not from among its Community Councillors. The offices of Secretary and Treasurer, but no other office-bearers may be combined.
 - d. The office of Chairperson shall not be combined with any other nor shall one person hold more than two positions.

- e. The Community Councillor or Community Councillors of the Community Council appointed as Secretary or Treasurer or Secretary/Treasurer shall not be entitled to remuneration but the Community Council may, at its discretion, award honoraria to such Community Councillors together with expenses actually incurred and supported by receipts or vouchers. The Community Council may pay appropriate remuneration to a Secretary and Treasurer or Secretary/Treasurer appointed outwith its own membership.
- f. The Community Council shall appoint a representative(s) to the local forum or equivalent who shall be entitled to vote in respect of any matters raised at a meeting of the forum or equivalent. Area based forums will facilitate engagement on local community planning issues.

STAFF

7. In addition to the offices of Secretary and Treasurer or Secretary/Treasurer the Community Council shall have power to appoint and dismiss such other staff as it may from time to time determine, subject to the observance of employment law.

COMMITTEES AND SUB-COMMITTEES

8. The Community Council shall have powers to appoint such Committees and/or Sub-Committees or sub-groups as it may from time to time decide and shall determine their terms of reference, powers, duration and composition.

FINANCE

9.
 - a. All monies raised by or on behalf of the Community Council shall be applied to further the objects of the Community Council and to maintain its administrative structure.
 - b. The Community Council shall have the power to secure resources for schemes, projects and all other purposes consistent with its functions and shall be eligible to apply for grants for suitable projects.
 - c. The Council will provide an administrative grant to the Community Council to assist with the operating costs of the Community Council.
 - d. The Treasurer or Secretary/Treasurer shall arrange for a bank account(s) to be held in the name of the Community Council and shall have responsibility for:
 - i. the proper management of the Community Council's financial affairs; and
 - ii. keeping proper books of account showing the finances of the Community Council.
 - e. The Community Council shall appoint an independent verifier, acceptable to Aberdeenshire Council, to independently verify the accounts of the Community Council annually.
 - f. Independently verified Statement of Accounts of the Community Council for the last financial year shall be submitted by the Community Council to the Annual General Meeting. The Community Council's financial year shall run from 1 April.
 - g. The Title to all and any heritable property which may be acquired by or for the purpose of the Community Council shall be taken in the name of the Chairperson, and Secretary of the Community Council and their successors in their respective offices as trustees for the Community Council.
 - h. The Community Council must comply with Section 13 of the Scheme and must have sufficient and adequate insurance to cover the Community Council in the event of claims

being made against the Community Council and must be able to demonstrate to the Council that this insurance cover is in place.

RETURN OF OFFICE- BEARERS AND OTHERS

10. Following the first meeting after each election the Community Council shall lodge with the Area Manager for the Area of Aberdeenshire Council in which located a return specifying the full names, addresses and designations of:
 - a. office-bearers;
 - b. elected, co-opted, and associate members; and
 - c. independent verifierand shall notify the Area Manager in writing any change to office-bearers, members and independent verifier/s.

AMENDMENT OF CONSTITUTION

11.
 - a. Any proposal to amend the Constitution must be delivered in writing to the Secretary of the Community Council at least 20 working days before the date of the meeting at which the proposal is first to be considered.
 - b. Subject to the provisions of paragraph 4 any alterations to the Constitution will require approval of:
 - i. a majority of two-thirds of those present and voting in favour thereof at an Annual General Meeting or a Special Meeting convened for that purpose, and
 - ii. the Area Manager on behalf of Aberdeenshire Council
 - c. Notice of any General Meeting at which a proposal to change the Constitution of the Community Council is to be considered shall be given 10 working days prior to the date of the meeting and such notice shall detail the wording of the proposed alteration.

SUPPORTED STATUS AND DISSOLUTION

12. Supported Status, Dissolution and Voluntary Dissolution of the Community Council will only take place in accordance with the Scheme for the Establishment of Community Councils.

SCHEME FOR THE ESTABLISHMENT OF COMMUNITY COUNCILS

13. The Community Council shall not do anything which is inconsistent with Aberdeenshire Council's Scheme for the Establishment of Community Councils and in the event of any inconsistency, the Scheme for the Establishment of Community Councils shall take precedence.

DISCIPLINARY PROCEDURES

14. In the event of a complaint by a member of the Community Council or a third party that the Community Council or a member of the Community Council is in serious breach of the Community Councillors' Code of Conduct or has otherwise brought the Community Council into disrepute it shall be dealt with in accordance with the Complaints and Appeals Procedure in Schedule 7 of the Scheme for the Establishment of Community Councils.



BUCHAN MONUMENTS

CLIENT: MACDUFF DISTRICT COMMUNITY COUNCIL
PROJECT: ERECTION OF 'MACDUFF COO'
DATE: 26 MARCH 2018

ERECTION WORK

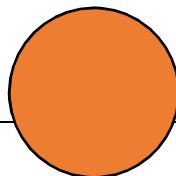
Transporting the statute to the agreed site, building and fixing of mould on site, casting of concrete, rendering stone effect to mirror that of the buildings within the vicinity of the statue.	£1,000.00
Hired in labour	£600.00
Materials	£350.00

TOTAL INVOICE: £1,950.00

Payment terms:

Payment to be made within 21 days of completion.

Payment to be made through BACS transfer (*see reverse of invoice for details*)



BUCHAN MONUMENTS
112D MAIN STREET, BANFF, AB45 3YP
TELEPHONE: 0779718215
EMAIL: Buchan_Monuments@gmail.com

SPECIALIST LIGHTING

64F MILE END AVENUE

Email:
Specialist.Lighting@gmail.com
Telephone: 01224 923768

INVOICE

'Macduff Coo'

Placing of lights to enhance statute, working in coordination with contractor selected to erect the statute in Macduff town centre, fitting 4 spot lights (Model: HYK243), testing, checking implementation and providing advice to party in respect of maintenance and upkeep of the lights (includes all labour and parts):

PRICE: £850.00

PAYMENT TERMS 21 DAYS

**PAYMENT CAN BE MADE USING THE
FOLLOWING METHODS:**

CREDIT / DEBIT CARD (*payments can be taken
over the phone or our office*) **BACS TRANSFER**
(*see reverse for details*)

CHEQUE (*made payable to 'Specialist Lighting
Aberdeen'*)