

FINDHORN & KINLOSS COMMUNITY COUNCIL
MINUTES OF MEETING HELD ON 26th November 2015

Present:

L Morgan (Chair), T Brown, H Morton, S Finnegan, F Allan, P Carroll, J Devlin, M Hyde, J O'Hagan (Minutes)

Attendance: Sgt McCarthy (Police Scotland), Cllr Creswell, Cllr Skene, Cllr Maclean, Cllr Alexander, Capt. Brown (39 Eng. Rgt. Kinloss Barracks), 4 members of public

Item 1 Apologies:

F Rietberg

Item 2 Police report and public business:

2.1 Police Report - During the period from 24/10/15 to 21/11/15, there have been 7 reports of crime being committed within the Findhorn & Kinloss area. To date 4 offenders have been identified. These crimes include Assault, Theft, Road Traffic Offences and Vandalism. On 1st November, a male was found to be drunk in charge of a vehicle parked in Kinloss. The driver has been reported to the Procurator Fiscal and is due to appear at Elgin Sheriff Court. Enquiries continue into the following crimes: Overnight on 18th and 30th October, damage occurred to the public toilets at Findhorn Bay; between 25th and 28th October, a garage at Burnside, Kinloss, was entered and golf equipment stolen; overnight on 16th November, fence posts were damaged within Findhorn Sands Caravan Park. The damage is believed to have been the result of a motor vehicle colliding with the fence. During this reporting period, 236 incidents were created across the Forres Policing Team area, 19 of which related to Findhorn and Kinloss. Anyone with information, please contact the usual numbers on 101, Crimestoppers 0800 555 111, or call in to Forres Police Office.

Local Policing Team Officers have carried out speed checks in the Findhorn and Kinloss area. 4 drivers were dealt with by Police for exceeding the speed limit.

This year's Festive Safety message is to stay safe whilst Online, Shopping, Partying and at Home. Advice given, but of particular interest in the report: Protect any gifts bought for friends and family. Get them to register mobile phones, tablets, laptops and cameras at www.immobilise.com. Bikes can be registered at www.BikeRegister.com

2.2 Public Business – S Finnegan raised the issue of speed calming measures in Findhorn. A discussion followed and Sgt McCarthy advised us to speak to the Moray Council Roads Maintenance Dept. Sgt McCarthy advised that additional speeding checks and requested specific times when speeding occurred.

2.3 A local resident expressed his grave concerns regarding speeding near the railway crossing. There was a discussion regarding previous actions taken, although this did not prove to be a sustainable improvement. Concerns were raised regarding the damage and disturbance caused by vibration from the heavy vehicles. The Police vehicle seen near the railway crossing on the way out of Kinloss is to detect compliance with the crossing lights. The resident and Sgt McCarthy then left the meeting..

Action: L Morgan to speak to McPherson's and contact M Council

2.4 Findhorn Village Conversation Company Update - F Allan advised that there was a good turnout at the recent AGM. Conveyancing between solicitors of Novar Estate and FVCC is ongoing with a deadline of 31st March as this ties in with the land grant. FVCC representatives have visited organisations who have been involved in land purchase for communities. FVCC have also been working with the M Council on the organisation of a Planning for Real exercise, to allow anyone to be involved in the consultation exercise. Cllr Skene is concerned that solicitors will not have enough time to go through the huge list of properties in the centre of Findhorn; this may lead to future disputes of access and the ownership of the stryplies could get worse. In discussion it was agreed that this problem has been ongoing for over 100 years. In regards to the stryplies, there is a right of access and this will not change. F Allan advised that land is deemed by the mapping exercise regarding Novar land and that all the residual holdings will pass across. Novar have already expressed that they have no interest in the land holdings in Findhorn. F Allan advised that approximately 95% of Novar residual holdings is quite easy to determine. A small area of Novar holdings in the built up area of the village is fragmented, due to numerous historical issues. These areas are being investigated as part of the conveyancing and should not cause a hold up or prevent the sale of the land.

Item 3 Ratification of minutes:

3.1 The Minutes of the Meeting of 29th October 2015. In Item 4 (4.1) two points were merged and appeared as one action when they were two separate actions: First - Army participation in Findhorn – 3 uniformed personnel with be available for Remembrance Sunday - done. Second - Letter of consent from Novar – completed. S Finnegan also

wished for the abbreviation 39 ER to be changed to 39 Eng Regt. This will be noted for future minutes. Thereafter, the minutes were ratified; proposed by S Finnegan and seconded by J Devlin.

Item 4 Matters Arising:

4.1 (2.5) Pass on petition details – completed. T Brown also advised that there is to be a public meeting regarding the shooting of wildfowl on 14th December, 7pm at Kinloss Church. This has been arranged by the Minister and one or two other people. P Carroll had prepared a briefing and this was shared with the meeting. This was a comprehensive briefing with the issues in Findhorn noted. These have been passed to the Minister in Kinloss Church. P Carroll provided helpful information regarding what has already been pursued over the years to try to tackle this issue. Whilst a local By-law would address the issues, this is a complicated and expensive process.

4.2 (4.5) Re-design flyer – J Devlin has completed the redesign of the Emergency Response Plan. J Devlin gave thanks to Mandy Wells at TsiMoray for her work on this. Posters were handed out and are to be posted around the community. Thanks to J Devlin for this.

4.3 (4.6) Defibrillator ongoing action – L Morgan

Item 5 Kinloss Barracks Report:

5.1 Capt. Brown gave feedback on the exercise on the Dunes Road. The personnel involved had enjoyed this exercise and it was a very good experience for them. Capt. Brown also highlighted Kinloss Barracks supporting the local fireworks display and also Remembrance events. They had been involved in a Remembrance half marathon which raised approximately £2500; they are hoping to make this an annual event. Capt. Brown advised that the troops will be on Christmas leave from 12th December. Capt. Brown also advised that there will hopefully be someone to replace Sel Williams in the near future and this will help with consistency of attendance at this meeting.

Congratulations were given by Cllr Alexander on the works on the Dunes Road project. Capt. Brown thereafter left the meeting.

Item 6 Chairman's Report:

6.1 On 4 November, L Morgan attended the final repairs to the Beach Road and he expressed our gratitude to 39 Eng. Rgt. L Morgan has had several communications with Euan Martin regarding the production of Rapid Departure in Findhorn on 3rd March at JMI. This is to be discussed further under AOCB in addition to allotments.

Item 7 Secretary's Report:

7.1 J O'Hagan gave an overview of information received on the CC's gmail account. 1) There is an online petition initiated by Innes CC re: Hogweed and Japanese Knotweed. www.scottish.parliament.uk/GettingInvolved/Petitions/PE01586; 2) there was also an invite to Moray Transport Seminar on 21st November; 3) there was a workshop to raise awareness of the UK Government's Terrorism Strategy, which aims to reduce the risk to the UK; 4) there is an invite to Forres CC on 17th December 7.15 at the Tolbooth and afterwards at the Red Beastie for nibbles. Numbers are needed for catering. Unfortunately, only 1 member of the CC is available that night. 5) There is a newsletter on gmail from Scottish Health Council covering a variety of topics including, Carers Rights Day, Antibiotics Awareness Day, Moray Health and Social Care Partnership update and much more. 6) There is an e-bulletin from APRS; 7) there was a workshop held on 20th November at Transition Town Forres regarding the actual food system in Moray; 8) Jane Martin is our CC's new Liaison Officer; 9) there was a Community Awards ceremony held on 20th November at Moray College; 10) there was information from Nick Scroggie from the Digital Team at Next Generation Broadband – This was to let us know the roll out of fibre broadband; 11) there is a consultation open until 19th January regarding Transportation Service Requirements for small developments in the countryside; 12) bin collection dates were forwarded. Please see MC website for full details.

Action: J O'Hagan to reply to Forres CC

Item 8 – Treasurer's Report:

8.1 The following report was submitted from F Rietberg – After paying for the tar and toilet facilities, the account stands at £1822.12; £988.41 in MC grants and £833.71 in other grants. Of the latter figure £115 is from Awards for All and needs to be spent by 11th June 2016 or repaid.

8.2 H Morton gave an update on the Beach Road funding – the CC should hear back from Berryburn within 14 days.

8.3 A reminder that expenses for this quarter need to be put in to the Treasurer by end of December 2015.

Action: all

8.4 L Morgan advised that the local resident stands firm on her offer of a contribution to the works above. Thanks given to the resident and a holding reply to be given until we have a response from Berryburn.

Action: L Morgan to give holding reply

8.5 F Allan advised that a local resident who had made use of some left over materials from the works on the path in front of the yacht club, had made a donation and that this has been given to F Rietberg.

Item 9 - JCCM Report:

9.1 L Morgan attended the last meeting and stood in as Acting Chair. The attendance was poor with only 5 CC's being represented. There were 2 presentations, 1 regarding the school estate in Moray and 1 on the Community Payback scheme. The full minutes are for the CC members on gmail.

Item 10 – Moray Councillors' Report:

10.1 Cllr Creswell reminded all about the Auchernack Trust fund. She also advised that the Osprey bus is in the garage and they are still looking for more volunteer drivers. There is ongoing work to obtain funding for a dedicated older people's worker. Cllr Creswell advised that Cllrs have had presentations on Developer Contributions and Corporate Parenting. The Consultation Exercise (Engagement with Moray Communities Health and Social Care Integration) across Moray was poorly attended, but nevertheless, there had been some interesting discussion. Community Planning Partners and Cllrs received an introduction to Participatory Budgeting and how funds could be used within communities on their community priorities. P Carroll suggested that we receive a presentation in January in regards to Health & Social Care Integration. **Action: Cllr Creswell** agreed to undertake this task.

10.2 Cllr Skene has been involved in various committees this month. Cllr Skene outlined the rural groupings across the CC area and advised there is to be a consultation period opening mid January. Cllr Skene also highlighted that there is a new draft conservation area character appraisal for Findhorn. This means that there will be a review of the conservation status of Findhorn in this area, which will look at the rules within the conservation area. There will be a 12-week consultation from mid-January. Cllr Skene also advised that the Scottish Government has also given the go ahead for building the new Elgin High School. L Morgan enquired regarding the Forbes area school group review. Cllr Skene advised the pilot study has already started and this will be reported on in due course.

10.3 Cllr Maclean continued the discussion on rural groupings in Moray. There was a discussion regarding various areas in our CC area and what they might look like in the future. This information is all available on the Moray Council website and will be out for consultation in the future. Items of interest to CC's were highlighted as item 8 and 9 in the reports to committee. Cllr Alexander advised to look via the Planning and Regulatory Services Committee on 1st December for the most relevant points of interest. Cllr Maclean advised that he has also been busy with Deputy Head Teacher interviews. He advised that the ASG review is ongoing and also spoke more on the Participatory Budget briefing.

10.4 Cllr Alexander had already made contributions to Item 10 in general. In addition, he advised that he has been made Chair of a committee (Communities that mainly deals with council housing). Following the lighting issue that Cllr Alexander was addressing for some time, he thought it might be of interest to highlight a new app that enables people to report broken street lighting.

Item 11 – Findhorn Foundation Report:

11.1. No report

Item 12 – Planning:

12.1 Permitted – 01628 Kinloss Golf Course; 01754 flat above yacht club; 01641 133 Findhorn. **Outstanding** - 01605 6 houses at Kinloss Seapark; 02025 new house in garden ground at Inyanga; 02099 scaffolding at Kinloss Abbey; 02086 Newton of Struther gas plant.

There was discussion on all the outstanding applications. In relation to 02025 it was considered that, should this land be on ENV6 land, the CC should object. This is in line with other previous objections.

There was also a discussion regarding Seaview Caravan Park. This was looked at a number of months ago and relates to an area of hard core. The owner has had mixed messages regarding planning permission and has now been advised by the planning enforcers, that he has 2 weeks to put in a retrospective application for planning permission and the application may still not be permitted. L Morgan was briefed on site by the owner.

Item 13 AOCB:

13.1 Beach Road funding: Discussed. P Carroll advised that the previous handrail project had an underspend of £115 that the CC does not have to pay back if used on another appropriate project. It was agreed to request this be put towards the Beach Road funding.

Action: P Carroll to write to the funders explaining the joint venture

13.2 Allotments – Prior to this morning's meeting with 39 Eng Regt, the Chairman discussed with the other Kinloss Community Councillors the line to be taken. 39 Eng Regt opened the meeting by stating that they wished something to be done with the remaining allotments funds. Chairman reported that we had established the amount of Kinloss interest and concluded it was not a viable project. 32 people had expressed interest in a plot but more importantly

only 3 were willing to serve on the management group. Given that 39 Eng Regt would not be taking any plots there was a shortfall in interest and also their participation in the management group would be greatly missed. Therefore we wished to shelve the project to establish allotments and wished that, since Southside residents had lost access to the swimming pool, the allotment funds remaining be used directly for the benefit of the Southside residents. 39 Eng Regt stated they are confined by Service Funds Regulations (SFR) on how the money can be spent if the original intent, i.e. the Allotments, is not met. Costed proposals for projects would first have to be submitted to ensure proper financial accountability. It was agreed that the Chairman would provide 39 Eng Regt with a statement that the allotments project is no longer required and also provide costed proposals. It was acknowledged that the latter would take time. 39 Eng Regt will go through the process of resolving the funds through the Army Assurance Branch (D Pers Army). 39 Eng Regt was keen to point out that they would not take any longer than absolutely necessary.

Action: L Morgan, T Brown and J O'Hagan to inform those interested in the allotments of the outcome

Action: J O'Hagan to cost proposals for Southside

Cllr Creswell advised there may be allotment pods available in Forres. Cllr Alexander advised that the volunteer who maintained the garden area to the rear of Auchernack House in Forres (opposite the main Post Office) has retired and the Moray Council may be willing to allow new volunteers to maintain the garden in lieu of an allotment.

13.3 Rapid Departure – L Morgan advised he has spoken with Euan Martin. The date has been agreed for 3rd March at JMI. There is a charge of £550 and suggestions were put forward on fund raising ideas and charges on the night. Suggestions for a quiz night or raffle were put forward. Balance outstanding will come from CC funds. It was agreed to go ahead with this event.

Action: Inform Euan Martin of decision to go ahead. **L Morgan**

13.4 J Devlin's departure – Thanks were given to J Devlin for her work on the the CC. J Devlin is moving from the area, but is hoping to move back in a years time. There was a discussion around co-opting.

Action: L Morgan to check the constitution for co-option rules

13.5 S Finnegan has been asked to query the insurance for the fireworks on the pier on Hogmanay, which is a community event. It was agreed that this is a joint activity of the Community Council and Residents Association.

Action: J O'Hagan to check the insurance as this is an annual event

13.6 S Finnegan is awaiting a reply from Mr Ross re street calming measures in Findhorn.

13.7 S Finnegan gave thanks to Cllr Alexander for his work on the lamp post issue which is now resolved. S Finnegan advised that 2 years on from the street lighting survey, we are not much further on. S Finnegan has investigated this issue and it appears that Findhorn is on a reserve list.

Action: Cllr Alexander to make enquiries on this issue on our behalf

13.8 M Hyde gave an update on the Beach Huts court case in Edinburgh. Decision expected probably in February. made.

13.9 M Hyde was advised about the Marines doing an exercise in Findhorn Bay. There was discussion on who needs to be advised of this type of activity and P Carroll offered advice for the future to the Marines.

13.10 J Devlin had nominated a Kinloss resident who was a finalist in the 'good neighbour' category in the Moray Community Awards. J Devlin attended the Community Engagement event and facilitated on the public protection table. J Devlin highlighted comments made, that should a further community engagement event be organised, that CC's would be a more appropriate vehicle for consultation. J Devlin advised that the Moray Young Citizen's Award are up and coming.

Item 14 Forthcoming Events:

14.1 Winter Gathering 11th December and 12th for children.

14.2 Christmas bizarre at FVC 5th December 1.30 p.m.; Craft tables and Santa at 2.30 p.m.

14.3 TsiMoray doing a Christmas day lunch for anyone isolated. The charity funds the lunch.

14.4 28th November Christmas lights being switched on in Forres.

Thanks given to all for attending and compliments of the season!

Date of Next Meeting: January 28th 2016 James Milne Institute, Findhorn 7pm