

# Minutes of JCC Meeting held on Thursday 10<sup>th</sup> November 2016

## Council Chambers, High Street, Elgin

### Present:

Alastair Kennedy	(Chair)
Jim Patterson	Burghead and Cummington Community Council
Bill Davidson	Burghead and Cummington Community Council
Iain Catto	Elgin Community Council
Andrew Gray	Elgin Community Council (And Community Asset Transfer Speaker)
Karen Pryce-Iddon	Strathisla Community Council
Jill Anderson	Strathisla Community Council
Les Morgan	Findhorn and Kinloss Community Council
Donald Cameron	Lennox Community Council
Morag Stewart	Buckie & District Community Council
Iain Grieve	Cullen & Deskford Community Council
Graham Murdoch	Forres Community Council
Sandy Anderson	Innes Community Council
Carol Allan	Innes Community Council

### In attendance:

Jane Martin, Community Council Liaison Officer, Michelle Gillibrand (Local Outdoor Access Area Forum), Catherine Sinclair (minutes), Emma Gordon and Gary Templeton, The Moray Council

### 1. Overview of the local development plan process, main issues affecting Moray and proposed community engagement

The plan is largely a land use planning document seeking to identify sites for housing, employment and retail land; areas to conserve (e.g. green spaces) and infrastructure required. It incorporates the policies used to decision make on Planning and for Moray. These are:

- 'Place making' (attractive, green, healthy sustainable places to live and work)
- 'Climate Change'
- 'Sustainable Economic Growth'

Plan phases are outlined in the Good Practice Guide, which was circulated to all Community Councils. A more detailed timetable will be circulated. **ACTION: Jane Martin**

Planners see the main issues for Moray as:

- High quality housing with the right mix of private and social, including accessible, bungalows etc. Housing schemes should be attractive, green and well-designed and connected. It is hard to identify development land in Speyside and Keith.
- Co-ordination and delivery of infrastructure, including A96 dualling, rail improvements, health facilities, schools estates, digital communications, Scottish Water
- Defence Estate – need to fulfil any land requirements from Kinloss Barracks and RAF Lossiemouth, support defence, and diversify defence dependent economy.
- Health and Active travel – quality spaces, wellbeing, allotments, sensory gardens etc.
- Housing in the countryside – build-up creates hotspots where there is impact on the landscapes, it also has cost implications for local authority services, Planning would like to see development in clusters rather than diffusely.
- Long-term planning – over 20 years to bring better benefits and strategic co-ordination

Planners would like to hear what Community Councils see as the main issues as and any proposals about what each community council area wants.

The Communication Plan for engagement with communities and stakeholders has been developed and has identified areas for improvement, in particular, engagement with Community Planning Partners and Youth. A diverse range of stakeholders will be consulted, as well as some new partners. Engagement will be customised to get the most information from different types of stakeholders. Press, social media (including the Planning Facebook page), websites and drop-in exhibitions are already used. 'Inside Moray' will be used and ideas for other ways to engage are welcome. An electronic newsletter will be circulated summarising

each stage of the plan. Supplementary guidance will be published alongside the Local Development Plan.

Community Councillors are asked to use the 'Call for Site' outlined in the Good Practice Guide to submit ideas on how your town should grow. Planners are looking for a high level and holistic view about housing, infrastructure needs etc., not benches and flowers. They are also interested in seeing issues that have come up in local Community Action Plans, where they exist.

It is important to engage at this stage of the plan, as it can be too late to make changes by the time a Planning application is reviewed.

## **2. Community Asset Transfer**

Andrew Gray, Asset Management Co-ordinator for the Moray Council, is the main point of contact for Community Asset Transfers (CATs). A CAT is effectively a transfer of responsibility and may be a change of ownership or a lease. The transfer may be made at market value or at a discount.

A local authority must produce a list of assets that can be legally transferred. Things not on this list may still be the subject of a CAT request. Many other public bodies could be the subject of a CAT request, but in practice it is mainly local authorities. The organisation taking on community ownership of an asset is a Community Transfer Body (CTB). It must be a company and can have a legal structure of a SCIO (Scottish Charitable Incorporated Organisation) or a BenCom (Community Benefit Society). It must have a minimum of 20 members. For leasing or other rights to a community asset, requirements are less onerous but the organisation must still have suitable governance in place.

There are 2 phases: Expression of interest – a Moray Council contact will be appointed to the group and informal discussions are held on a proposed CAT, such as the reasons for the request, the use the asset would be put to, the benefits that would arise from the transfer etc. A check is made that there is no legal obstacle to transfer. The second phase is more prescriptive and requires specific information such as terms of a lease, price willing to pay, a business plan outlining funding and plans to maintain the asset for the first few years, evidence of community support and evidence of community benefit i.e. the CTB should have done some community consultation. Applications go to Community Councils for consideration. The CAT request goes before full council for consideration so it is important to be clear on all the details. The CTB can submit an appeal or review of the decision if necessary.

Any discount applied must be reasonable and proportionate to the benefits of the CAT. The Moray Council cannot dispose of an asset at discount unless the benefits contribute to economic development, regeneration, health, social wellbeing or environmental wellbeing.

Inalienable Common Good: Any request for a CAT of common good land will require court consent. Costs may be paid for by the CTB or The Moray Council, depending on the circumstances. Valuation of Common Good assets would be carried out by an independent body. If a transfer of ownership to a CTB is successful, the asset is no longer common good. Transferred assets could then be used by the organisation e.g. as security against a loan. If an organisation folds, provision will have been made to transfer the asset to a body with similar purposes or interest to their own as outlined in their constitution.

## **3. Welcome and Apologies**

The Chair welcomed everyone. Apologies were noted from Esther Bruce, Christine Allan and Gordon Methven

## **4. Minutes of previous meeting 11<sup>th</sup> August 2016**

Item 1: Change Mile to Milne. Subject to this correction, the minutes were accepted as a true record of the meeting. Proposed by Bill Davidson, seconded by Les Morgan.

## **5. Matters arising**

### **Police meeting**

Police will continue to attend Community Council meetings wherever possible. The monthly report will now also include information from other community safety partners and their contact details. It will have a Moray-wide section on campaigns etc., and an area-specific section. Jane Martin will edit it and Community Councils can feed back on the new format.

## **Participatory Budgeting Update**

"Money for Moray", the participatory budgeting project handed out a total of £120,000 of Scottish Government and Moray Council funds to Moray community organizations. Groups have one year to complete and submit a report on their project.

The working group has successfully applied for £40,000 to be dispersed through participatory budgeting, with £6,000 for costs. The fund is to be dispersed by 31<sup>st</sup> March 2017.

Morag Stewart gave a participatory budgeting presentation to the North Alliance in Nairn, which was well received and had positive feedback on her good blend of theory and practical advice. Enthusiasm for participatory budgeting was clearly communicated. Morag advised an open culture, to act as if 'there are no mistakes to be made' and accept there is a steep learning curve at the outset.

There are some rumours that the Common Good Fund may go to Participatory Budgeting and the comment was made that a lack of local knowledge may mean a group with a slick presentation wins money over a group with a more deserving cause. Other than that, participatory budgeting is felt to be very positive.

## **6. A96 Dualling**

A letter from Transport Scotland requesting Community Councils consult on the dualling of the A96 has been received. There are 3 forum sessions arranged for November – details have been submitted.

## **7. Scheme for Community Councils and Constitution – Working Group**

Notes of the working group meeting have been circulated by email. Proposals will go to full Council in January and views and proposals from Community Councils are still welcome. After the full Council meeting, the scheme and constitution will come out for consultation. Similarly, the Community Council handbook can be updated with any proposals

## **8. Reports**

### **a) Financial Report**

No report. The last balance received was £1,436.51, with some Participatory Budgeting expenses still to be paid. The Participatory Budgeting grant is expected to have been received.

### **b) Rural Parliament Update (Iain Catto)**

Iain and Gordon Methven attended 2 of the 3 days of the second Rural Parliament in Brechin. It was inspiring to meet a mix of landowners and community activists, and attend workshops and visits. The number one priority of the draft manifesto was agreed to be rural broadband. With a staff of 1.5, it will be volunteers who are tasked with taking most of the manifesto plans forward. The Scottish Rural Action website has videos of the proceedings. The AGM will be on 8<sup>th</sup> December in Perth and Gordon is hoping to be re-elected.

At the Rural Parliament, there was discussion on the pros and cons of community councils. It seems few areas have a Joint Community Council to support community councils and speak with a united voice to the local authority. Moray is one of the few local authorities to have a dedicated CCLO. In other areas it may be e.g. a shared post in legal. There may be study visits to Moray to find out more. A working group will be set up to take for the Association of Community Councils in Scotland. Feedback is being sought into ways to find a stronger voice for Community Councils e.g. holding elections on the same day nationally.

## **9. Information Sharing**

### **Buckie Community Council**

The Chair and one other member have retired. Between them, they have 50 years of Community Council membership and the Community Council would like to acknowledge their long service. One member has resigned for personal reasons. There are 8 members and 2 new members joining.

Buckie Community Councillors will sit on the decision making panel for Beatrice Wind Farm Community Benefit Fund, along with Community Councillors and community representatives from the Buckie, Lennox, Keith and Strathisla Community Council areas. SSE is holding public engagement sessions later this month in Buckie and Portgordon.

The Christmas Cracker will be on 19<sup>th</sup> November.

### **Burghead and Cummington Community Council**

One member passed away, having been one of the first Community Councillors appointed in Moray in 1973. The secretary has resigned but two new members are joining so the Community Council is at full complement.

### **Cullen and Deskford Community Council**

The Community Council has been re-established with 7 members. One further person has expressed interest in joining. An inaugural and one further meeting have been held.

### **Elgin Community Council**

There has been consultation on a parking strategy for Elgin and consultation on transport strategy in Elgin including traffic problems. Consultation is also taking place on A96 dualling.

There have been issues with Stagecoach bus reliability and significant timetable changes, which have been discussed by Elgin Community Council and the Stagecoach manager who attends Community Council meetings. Elgin Community Council has also been lobbying for increased investment in the Aberdeen to Inverness railway line.

### **Findhorn & Kinloss Community Council**

Mr Malpas, Senior Traffic Manager, Moray Council gave a presentation to the Community Council and members of the public on the Council's response to complaints of speeding on Findhorn Road and Station Road Kinloss. He handed out survey data at the two locations. Several members of the public questioned the reliability of the data and were unhappy with the report but as the local authority has to adhere to Scottish Government guidance, physical traffic calming measures will not be put in place

When it was pointed out that there were over-hanging branches, grass and glass on the cycle path between Findhorn and Kinloss, members of the council suggested that members of the public should lend a hand as the Moray Council's funds for regular path sweeping had run out.

The project to create a disabled-friendly Nature Trail at the south east corner of Findhorn Bay was successful in obtaining funds from 'Money for Moray'.

According to one press report, a compromise has been reached between the pro and anti-wildfowling groups; there will be no shooting on Mondays and Tuesday or after 10am. However, according to another, the agreement was only between the pro and anti-shooting petitioners and other stakeholders that were not included in the meeting may contest the agreement.

Construction of the first 10 of the controversial Beach Huts at Findhorn has commenced.

There was no meeting in July.

### **Forres Community Council**

The Community Council facilitated a meeting between Scottish Water and a farm concerned about overflowing water from a Sustainable Urban Drainage System (SUDS) drain at the new Lochy Hill housing scheme. It was a useful meeting and as a result of this, the Community Council is planning to look into maintenance of Mosset Burn – this will be a longer term plan in partnership with other agencies and local groups.

'Colours of Cluny' has opened. The stunning display has had higher than predicted footfall and is known to be bringing visitors to the town from all over the country. Graeme encouraged everyone to attend.

The Chair has resigned.

The Community Council met with Transport Scotland re the A96 crossing near the railway line and this dangerous spot is to be looked at again.

### **Innes Community Council**

There are several ongoing concerns for the Community Council, including trying to save the Tenant Arms Hotel in Lhanbryde.

### **Keith Community Council**

The Community Council has been providing support and liaison with ongoing anti-social behaviour problems. Keith in Flower subgroup has had a good season, with ever increasing numbers of businesses adopting flower baskets. Many thanks to the many non-Community Council volunteers involved for their hard work. Keith Christmas Lights committee has secured grant funding to finalise the town's lighting scheme and repair and replace older lights. Scots Toun work is also progressing. Community Councillors will be sitting on 3 Wind Farm Community Benefit Fund decision making panels by early 2017.

### **Lennox Community Council**

There is a new member from Portgordon and a very articulate youth representative from Milnes High.

There are ongoing issues with speeding and campaigns in place, particularly near Spey Bay School and in Portgordon.

The downgrading of Fochabers Post Office has caused issues for residents, with some going to Elgin instead. The last bank in Fochabers will close in December and a mobile bank will attend twice weekly.

### **Strathisla Community Council**

The Secretary has resigned as he is moving out of the area and the Community Council wishes to thank him for his service over the years. Jill Anderson, a new member, has agreed to take on the Secretary role. An area representative for Newmill and a Youth member are sought.

Strathisla Community Councillors will also sit on Beatrice Wind Farm Community Benefit Fund panel. An update on Lurg Hill wind farm will be given at the next meeting.

There are ongoing issues with heavy vehicles damaging verges and road edges and some poor repairs.

Karen Pryce-Iddon will attend the DTAS meeting in Aberdeen on barriers to involvement in local planning and will raise the issues of poor timing of applications with respect to Community Council meetings, and poor notification to nearby residents. She was asked to report back on the meeting to JCC.

The Community Council website has been updated and Facebook and Twitter have been set up.

## **10. AOCB**

### **Litter Summit**

There was good representation from Community Councils at the litter summit a few months ago and the follow-up meeting on 7<sup>th</sup> November. Steven Christie of Elgin Community Council and SPICE was elected Chair of the group.

### **LEADER**

tsiMORAY has been confirmed as the accountable body and Alastair Kennedy will Chair the Local Action Group (LAG) and there are still a few places left on the LAG. Staff recruitment is expected to commence in January.

### **Local Outdoor Access Forum (LOAF)**

Michelle Gillibrand explained that the forum is made up of a balanced group of landowners and community groups. The Council Office involved is Ian Douglas. Michelle will circulate her contact details via CCLO. This year LOAF has been consolidating policies etc. and consulting on the review of core paths and active travel strategy. Work is continuing on raising the forum's profile. New paths are being considered, particularly from Rothes to Craigellachie to join with the Speyside Way.

Michelle also runs 'Events in Moray' Facebook page and is happy to promote local events.

**ACTION: Jane to circulate Michelle's contact details to all community councils**

### **Community Councillor Training**

Training on managing complaints and mediation has been completed, with thanks to those who attended. Feedback has been very positive. Due to next year's elections, no further training is planned this year, but a training programme is being developed. There was discussion on training on Planning.

### **Cromarty Rising Meeting**

Information was circulated on a meeting to be held by Cromarty Rising and Marine Connection on concerns of ship to ship transfer of crude oil in the Moray Firth, feared to impact the marine environment and tourism. The meeting will be held in Nairn, 2<sup>nd</sup> December at 7pm.

### **Speakers for Joint Community Council**

Let Jane Martin know if you would like to hear from a speaker on any particularly topic at future JCC meetings.

## **11. Date of Next Meeting – 9<sup>th</sup> February 2016**

There being no further business, the meeting closed at 8.55pm

### **ACTIONS**

**Jane Martin to circulate more detailed timescales of planning phases**

**Jane to circulate Michelle's contact details**