

**Cullen & Deskford Community Council
Meeting on Thursday 19th March 2009
7.30 p.m. in Deskford Jubilee Hall**

M I N U T E S

- Present:** Professor Ashley Mowat, Chair
Mr Thomas Johnston, Vice-Chair
Mrs Zillah Jamieson, Joint Secretary
Mr Malcolm Watt
- In Attendance:** Cllr Gary Coull
Cllr Stewart Cree
PC Kevin McPherson
- Apologies:** Mrs Joyce Henderson, Treasurer
Mr Sandy Christie
Mrs Monica Wells, Joint Secretary
Cllr Ron Shepherd
Inspector Derek Spark
Sergeant Tony McCullie
PC Iain Dormand

1. WELCOME AND APOLOGIES

The Chair welcomed all attendees to the 15th meeting of the Cullen & Deskford Community Council.

Apologies were noted as above.

Agenda: The Chair indicated that Agenda Item No. 6 (Police and Local Councillors Report) would be taken following Item No. 3 (Matters Arising). Thereafter, proceedings would revert to the printed agenda.

2. MINUTES OF PREVIOUS MEETING (19th February 2009)

No amendments were made. The Minutes were approved as a true record.

3. MATTERS ARISING

3.1 Publicity/Suggestion Boxes

Cullen Road Safety Concerns: The Joint Secretary confirmed that, in conjunction with the Chair, she had submitted an article to the Banffshire Advertiser on the Road Safety Concerns discussed previously; this appeared in the 10th March edition.

Heartening News: another article had also been submitted and appeared in the Banffshire Advertiser of 10th March outlining the progress being made on a number of fronts and highlighting the next events on the Homecoming 2009 calendar, but raising concern re the potential ramifications of the latest Moray Council budget announcement.

Cullen Public Facilities Meeting: a short article appeared in the Banffshire Advertiser (17th March) outlining the reasons for the meeting on 25th March and confirming the venue.

Aultmore Forest Windfarm Development: it was noted from the Banffshire Advertiser (17th March) that the Swedish energy firm Vattenfall is to host an open day at which visitors can be updated on its proposals to develop a windfarm in Aultmore Forest - Circular Meeting Room at Keith Community Centre on 25th March.

Harbour Dues Victory: it was noted in the Banffshire Advertiser (17th March) that the Policy and Resources Committee had voted to change the proposed dues increase from 5% to 2.5%; Cllr Shepherd was quoted as vowing to fight for more resources to be allocated to the harbours, describing them as a very important asset.

Suggestion Boxes: no items had been put forward.

3.2 Incoming Information of Interest:

In the absence of Monica Wells, there was nothing relevant to report.

3.3 Licensing Board Applications

Licensing Board Applications are being monitored on a weekly basis by the Joint Secretary. The Joint Secretary had circulated the Application Details for the Cullen Golf Club to all members on the day of the meeting; no objections were anticipated.

3.4 Consultation Documents

NHS Grampian Tobacco Policy Consultation: The Chair confirmed that, whilst he had filled in the boxes on the documentation, he had written a letter on 18th March to the Chief Executive of NHS Grampian to indicate that the consultation documents did not allow for opinions to be stated; he felt that compassion was required given the addictive nature of smoking, and that the proposed ban was not enforceable. It was noted that the Director of Public Health had confirmed (in the press of 19th March) that the proposed ban cannot be enforced.

3.5 Cullen Town Hall Flag

The Chair indicated that there are five possible designs for the Town Hall Flag. It was agreed that the final choice should be delegated to the Chair and the Treasurer.

ACTION: Ashley Mowat/Joyce Henderson

3.6 Confirmation of other actions taken

Junior Members: it had been previously agreed that approaches should be made to Venture Scouts, the Boys Brigade and the organiser of the Duke of Edinburgh Awards for more nominations, with an approach to Buckie High delayed until the new school year in August. It was agreed that this action should be delayed until after the re-elections in October.

Path on Way to Salmon Bothy: Cllr Shepherd confirmed on 27th February that the road to the Pet Cemetery belongs to the Seafield Estates. The Joint Secretary undertook to write a further letter to the Property Manager at the Seafield Estates.

ACTION: Zillah Jamieson

Members: the Joint Secretary confirmed that she had sent a Get Well card to Monica Wells on behalf of the Community Council; she had also sent a letter of thanks to Bill Maben for his contribution to the Community Council on 28th February.

Membership of Community Council: The Joint Secretary confirmed that she had advised Tracey Rae on 28th February of the decision to run with the current vacancies until October. In addition, all appropriate documentation was amended and distributed.

Textile Recycling: the Joint Secretary confirmed that she had written to Ally Gordon, Monitoring Assistant, on 28th February advising him of the Community Council decision to maintain the two current sites (Cullen Recycling Centre and Deskford Community Hall), with proceeds from both being credited to the Cullen & Deskford Community Council. The Joint Secretary undertook to establish whether the Treasurer had contacted Northern Textiles to set up the payment process.

ACTION: Zillah Jamieson

Criminal Justice Services: the Joint Secretary confirmed that she had contacted Mike McRitchie, Criminal Justice Services, on 28th February outlining the 3 projects discussed at the last meeting (Crannoch Hill path, Cullen Beach tidy-up, Coastal path to the east of Cullen), and requesting clarification as to whether such projects would be eligible, and, if so, how they could be implemented. Following a meeting of the Cullen Voluntary Tourist Initiative, she sent a further e-mail suggesting the following: tidy-up of the Cullen Community Garden; tidying up litter along the Viaduct; removing dog mess (particularly during the summer). Mike's reply of 11th March indicated that they would be happy to help where they can. He has no means of picking up dog excrement, but would collect litter and do a beach clean-up. In relation to the path work, they would ask that we supply any materials needed. In order to progress this, it was agreed that Mike should make a short presentation (15 minutes) at the next Community Council meeting on Thursday 16th April.

Buckie Area Forum Membership: following dialogue between the Chair of the Community Council and the Chair of the Buckie Area Forum (BAF) which attempted to identify the constitution/remit of the latter and any potential conflicts/overlaps, the Joint Secretary sent details of our activities and current projects to the Chair of the Buckie Area Forum to demonstrate the range of activities in which we are involved. The Joint Secretary subsequently attended the BAF meeting (18th March 2009) and provided an update. It was agreed not to take out membership of the Forum at this point given that agendas and minutes will be sent to the Community Council from now on.

Play Area in Findlater Drive/Junction of York Place and Seafield Road: the Joint Secretary confirmed that she had submitted an article to the Banffshire Advertiser; this appeared in the 10th March edition.

Derelict Building: The Joint Secretary confirmed that she had contacted Adam Robertson, Building Standards Manager, to point out that the building and site at 47 Seafield Street was felt by many to represent:-

- a danger, as the doors and windows are not properly boarded up
- a health hazard
- an eyesore (given its location in close proximity to the main shopping street and access to the harbour)
- an attraction to youngsters
- a detraction from the current renovation of the Fish and Chip Shop.

Adam Robertson had responded on 5th March 2009, as follows:-

"Thank you for advising me of the latest concerns in regard to 47 Seafield Street. The property is owned by the family of the late Rita Donn. Miss Donn's only daughter stays in Canada but is normally very appreciative of being advised of any problems with her mother's house. The property was last secured in 2007. Miss Donn's daughter has a local contact whom she uses to have this type of work carried out. I have already advised her of these latest concerns. I hope this will take care of the danger and health hazard aspects of your concerns. Matters as to the eyesore that the building offers and the detraction from the chip shop are unfortunately dependant upon the owners selling or renovating the property. I hope this clarifies matters for the moment and, upon my past experience with the owners, am hopeful that the securing work will be carried out shortly."

It was agreed to monitor whether the repair work is carried out.

ACTION: Zillah Jamieson

4. CORRESPONDENCE

Launch Event: A guide to the use of mediation in the planning system - 16th March: The Joint Secretary confirmed that she had advised all members of this event on 28th February.

Use of 0845 numbers: The Joint Secretary confirmed that she had distributed to all members (on 28th February) correspondence between the Chair of the Joint Community Councils and the Chief Executive of the Moray Council regarding the use of an 0845 number at the Lossiemouth Health Centre and expressing concern that this practice might spread. The letter expressed the view that the practice is unethical and unacceptable, given that callers may not be aware of the actual cost of such calls and that there is no incentive for callers to be dealt with speedily given that the organisation being called profits from the cost of the calls. This is deemed to be particularly unsatisfactory given the (usually) necessary nature of the call. The Chief Executive had undertaken to have the letter added to the agenda of the next Community Planning Partnership Board on 7th May 2009.

Communications between the Moray Council and Community Councils: The Joint Secretary confirmed that she had distributed to all members (on 28th February) correspondence between the Chair of the Joint Community Councils and the Chief Executive of the Moray Council regarding the unacceptable and at times discourteous behaviour by some of the Moray Council officers (including "obfuscation and downright obstruction"). The Chief Executive had requested examples of such behaviour so that appropriate action could be taken.

Moray Council Organisation Charts: The Joint Secretary confirmed that she had received top line organisation charts from Tracey Rae on 3rd March; this will prove useful when addressing letters to the Moray Council.

5. TREASURER'S REPORT

An update on the level of the bank account was not available given the absence of the Treasurer.

Updates on potential initiatives on which to spend Community Council funds were given as follows:-

Meals on Wheels: Malcolm Watt had advised all members on 23rd February that WRVS are constrained in terms of occasional offers of assistance, due to Moray Council's insistence some time ago that all recipients of meals on wheels have to pay by direct debit. If any organisation, such as ours, offers to subsidise the meals for a week or part thereof, then the whole machinery cannot really cope. Malcolm had therefore agreed, subject to approval at the March meeting, that if and when we have any spare funds to spend by assisting WRVS, this could be in the form of a food parcel, bought and packaged by us but delivered by the normal volunteers as part of their normal schedule. Numbers receiving meals in Cullen at present are 23, and none apparently recorded for Deskford. It was agreed that Christmas hampers may be the best option given the above circumstances.

Outings for elderly/less mobile people: Malcolm Watt had advised all members on 23rd February that the Parklands bus is indeed available for use by organisations, and the system is very straightforward. We would simply contact Parklands around the time we wish to use the bus, and present the driving licence of the driver who will be on duty on the day. The only cost is that of the petrol used – there is no charge whatsoever for hire of the bus. It was agreed that Malcolm Watt would investigate public liability insurance before proceeding further.

ACTION: Malcolm Watt

Transport for less able people to Deskford Flower show: this remains on the list of potential initiatives.

Town Hall Noticeboard: The Joint Secretary confirmed that the Moray Council is covering the cost of this.

Contribution to Website: tender responses are expected by 20th March.

Contribution to Cullen District Calendar: The Cullen, Deskford and Portknockie Heritage Group had requested a contribution of circa £150.00 towards the cost of producing the Cullen District Calendar. This can be regarded as an investment, as the Community Council fund for community projects will benefit in the future from a percentage of the sales proceeds. This contribution was agreed.

6. REPORTS

6.1 Police:

PC Kevin McPherson indicated that there had been some 60 calls in the Cullen & Deskford area from January to date. Only two urgent responses were noted (drunken fights), with other calls being classed as non-urgent. Following a query from Cllr Cree, PC McPherson confirmed that 99.5% of calls are false alarms.

PC McPherson reported on two recent successful operations - anti-social use of motor vehicles and under-age drinking.

The Joint Secretary confirmed that she had written to Inspector Spark and Sergeant McCullie on 28th February with a request that reporting on the details of crime in the Cullen & Deskford area became a standard feature of the police report at the meetings. She felt that this was important for putting a lot of issues into context e.g. need for increased police presence and/or mobile surgery/police office.

Neighbourhood Watch: nothing to report.

Mobile police surgery/use of police office: PC McPherson confirmed that the preferred option is to man the police office in Cullen more regularly (PC Iain Dormand), but no dates/times are available as yet. Information will be provided to the Joint Secretary for display at appropriate locations in the town. PC McPherson also confirmed that he was aiming to run more mobile surgeries as well (dates not yet known).

6.2 Local Councillors

Moray Council Budget/Reduction of Facilities in Cullen: Wednesday 25th March had been confirmed as the date for the meeting with the 3 Local Councillors, and a notice had been displayed to this effect. Details of the usage of the Cullen Community and Residential Centres had been received and circulated to all members on 12th March. Income from lets and entry fees for this financial year up to end January is £13,100. These details do not include the Library which it is essential to maintain.

It was agreed that expectations must be managed given that this is a pre-consultation meeting which will gather information. It is understood that the report making recommendations on cuts will be presented at the Asset Management Group at the end of April, with the date of presentation to Councillors as yet unknown. Cllr Cree undertook to invite Nick Goodchild (or another Officer) to the meeting.

ACTION: Cllr Stewart Cree

Financial Support to Community Councils and Area Fora: 4/5 different options are currently being worked through and will go to consultation shortly. It was agreed that the lack of administrative support for Community Councils is an important issue. Further details are available through the Moray Council website (www.moray.gov.uk) - webcast of the Policy and Resources Committee Meeting on 10th March 2009 (Point 10 - Community and Voluntary Sector Financial Support).

7. COMMUNITY PLAN

7.1 Harbour Committee Report:

Harbour: There was nothing further to report at this time.

Lighting on west pier: an update is awaited.

7.2 Town Hall Report:

Noticeboard: Tam McLellan had advised the members of the Community Council on 26th February that a single noticeboard (similar to the one at the harbour) would be in place within two weeks (also confirmed by Cllr Shepherd on 27th February); however, the noticeboard is still awaited.

Visit to Lossiemouth: a progress report is awaited from the Town Hall Committee.

Town Hall Pictures: Cllr Shepherd confirmed on 27th February that Alistair Campbell is to copy the photos of ex-Cullen Town Council Provosts when staff resources are available; there was no undertaking on timescale.

Maintenance Work: the Joint Secretary confirmed that a meeting had been arranged with Nick Goodchild of the Moray Council - Wednesday 8th April - to be attended by members of the Town Hall Committee and representatives of the Community Council. This meeting is to prioritise the maintenance work following on from the latest condition survey and a promise of circa £20,000 from the Moray Council.

Property Review: a progress report is awaited from Nick Goodchild.

Reading Room: Cllr Shepherd confirmed on 27th February that this issue is being dealt with by Nick Goodchild, and a progress report is awaited.

7.3 Cullen Common Good Fund

Following extensive discussion, it was agreed to make an application for funding to cover the costs of the Town Hall Flag.

ACTION: Zillah Jamieson

7.4 The Lawtie Trust

Cllr Cree confirmed that new trustees have been appointed - the offices of the Councillor representing Cullen Square, the Convenor of the Moray Council, and the Councillor responsible for Social Services. It was agreed that more lateral thought should be applied to working within the terms of the trust given the cost of making changes. Similarly, the Legal Department had confirmed that the title of the land owned by the Lawtie Trust will stand the test of law if defence is required. Similarly, rectifying the title will cost money. The identity of the Judicial Factor is unknown (no longer Acton Solicitors). It was agreed that the Chair and Vice-Chair would meet with Rhona Gunn and the trustees to progress matters and to identify the individual/organisation currently paying rent/rates on the land in question.

ACTION: Ashley Mowat/Thomas Johnston

7.5 Floodlighting of the Market Cross/War Memorial

The Chair confirmed that costings are promised from the Director of Lighting within a few days of the meeting.

ACTION: Ashley Mowat

7.6 Homecoming 2009

The current schedule of activities includes the following:-

Date	Event
23rd January	Burns Supper, Cullen Town Hall - successful evening - with the bottle competition carried forward to a future event
16th February	Gents & Boys Haircutting Marathon (in aid of Play Centre) - Scissors, The Square
15th June	Talent Night (Town Hall) - part of Heritage Week
15th to 21st June	Cullen, Deskford and Portknockie Heritage Group - Homecoming Week - various events (Primary School and Town Hall)
17/18th June	Seniors Open - run by Seniors Section of Golf Club; now accepted as an official event in the Homecoming Scotland 2009 programme of events; accommodation and information sheet prepared to send out to all competitors outwith the area; thanks expressed to Dennis Paterson and Zillah Jamieson
11th/12th July	Craft Weekend - in aid of RNLI and PoppyScotland (Town Hall)
26th July	Vintage Tractors and Cars: ground booked through Moray Council (The Link); public liability insurance arranged through Moray Council; risk assessment about to be finalised
31st July/1st and 2nd August	Art Group event
8th/9th August	Craft Fair - Christmas Lights Group (Town Hall)
7th November	Christmas Fair - Christmas Lights Group (Town Hall)
28th November	Musical event, possibly Whiskers Galore
30th November	Beacon to be lit on the Bin Hill - courtesy of Seafield Estate
November/December	Christmas Lights Switch-on

The Chair confirmed that he had now received the application form for funding support for Homecoming 2009 events from Pierre Masson. Pierre had advised that:-

- the amount of funds available from LEADER has now been doubled (from £10,000 to £20,000)
- applications cannot be retrospective
- anyone considering an application should contact Pierre first (before completing the application form) so that Pierre can confirm eligibility or otherwise; contact details 01343 563485; Pierre.masson@moray.gov.uk.

It was also noted that groups/individuals can apply to Nick Goodchild, Head of Education Services, for either a reduction in or total waiver of the costs of hiring Council premises; contact details 01343 563401; 07967 748898; goodchn@moray.gov.uk.

The Chair had established that the cost of the Town Hall for the Burns Supper was £54, and that no discount was available from Nick Goodchild for this event.

Cllrs Coull and Cree indicated their strong support for retrospective events being eligible for the funding, and advised the Community Council to make an application for the Burns Supper costs (copied to Cllrs Coull and Cree).

ACTION: Ashley Mowat

7.7 Cullen Calendar

Comments under Agenda Item 5 apply.

7.8 Cullen Website

The Joint Secretary confirmed that the funding application to the Moray Firth Partnership had been unsuccessful on the basis that the natural heritage element of the project was marginal. The funding criteria of the Moray Firth Partnership indicate that projects must specifically benefit the natural heritage of the coast or sea of the Moray Firth. The development of the website itself did not adequately meet the funding criteria, but future projects (e.g. development of the harbour) may do. The correspondence did indicate that they would welcome further funding applications in the future should future projects meet the criteria more closely.

Responses to the tender are awaited by 20th March.

7.9 The Gravel Pit/Cullen Community Garden

The Chair confirmed that he had met with Isobel Addison, Trustee on 26th February following receipt of a letter from the Cullen Community Projects Committee. These discussions established that a lot of work had been done initially in the Community Garden (2.4 acres), with hundreds of trees and 600 privet hedge plants planted, and £16,000 spent in total (the last funding coming from the Millennium Fund).

It was agreed that Isobel would call a meeting of the Committee together to discuss the way forward, with the preferred option of pulling together a group of interested parties to re-commence work on the garden. An update is awaited.

ACTION: Ashley Mowat

7.10 Cullen Allotments

At the meeting between the Chair and Isobel Addison (ref Item 7.10), it was established that the Community Garden is unlikely to provide a suitable option for the Allotment initiative in its current state, given that the topsoil (whilst considerable in tonnage) was spread very thinly over the entire area, and would therefore not prove fruitful in terms of growing vegetables. This information was relayed to Caron Hunter of the Allotment Group on 1st March, with a promise to keep her updated on developments.

It had also been established that there are conditions attached to the gifting of the land, including that it should not be split up.

A letter had been received from S. Parsons of Findochty enquiring as to the status of the old nursery on the Lintmill Road and the Community Garden. It was agreed to respond (copy to Caron Hunter) indicating that the Community Garden will not be an option for allotments, but that further clarification is awaited in relation to the old nursery.

ACTION: Ashley Mowat/Zillah Jamieson

7.11 Funding Update

There was no update in the absence of Monica Wells.

7.12 Events Diary:

There was no update in the absence of Monica Wells.

8. PLANNING

8.1 Cullen Harbour Lighthouse

The Chair confirmed that he had been given a cheque for £500 to go towards restoration of the Cullen Harbour Lighthouse and that he had advised Gordon Holland accordingly on 11th March 2009. The Chair also confirmed that he had written to the donor thanking them for such a valuable contribution to the costs of restoration.

The Chair confirmed that two quotes had been received for restoration of the Lighthouse, neither of which was acceptable. Further quotes are being sought.

8.2 Former Filling Station Site

The Chair indicated that he had been approached by one of the objectors to this planning application indicating that continued efforts were being made in its regard, namely:-

- letter to the Freedom of Information officer at the Moray Council advising that the Council's review of their release is still deficient, and would therefore be referred to the FOI Commissioner
- letter to the Transportation Manager advising him that the Scottish Public Sector Ombudsman is being asked to independently review the matter of transport access to the development
- letter to Richard Lochhead MSP to keep him informed of the situation.

The Chair's response to this communication outlined the Community Council's representations to the Transportation Manager to have the additional safety provisions implemented sooner rather than later, and the press article written to highlight the situation. A copy of the above letters is awaited.

8.3 Weekly List

In the Weekly List dated 27th February, the following application appeared:-

- Alterations and extension to existing house at 1 Victoria Street, Cullen (including listed building consent).

This was not deemed to be of community interest.

8.4 Changes in the Scottish Planning System

The Joint Secretary confirmed that she had circulated a letter from the Scottish Government to all members indicating that 2009 will see major changes in the Scottish planning system (to occur between the end of February and the beginning of August 2009) and that this will lead to an enhanced role for Community Councils. The key points from the letter include:-

- All of Scotland will be covered by Local Development Plans (LDPs)
- There are new requirements to ensure that community councils are kept up to date with Plan progress and have an opportunity to shape the development of their community
- Authorities will initially prepare main issues reports (focusing on the big decisions that need to be made for the new plan) - including options and alternative approaches; this is the stage where communities can most usefully contribute to the plan
- From 3rd August, the new planning system will be in operation
- All National and Major developments require pre-application consultation with communities, including consultation with the community council
- Design and Access Statements - set out for certain developments how design and access for disabled people have been considered and what if any consultation there has been on these issues
- New weekly lists - provide more information to community councils on individual applications
- More time to make representations in response to neighbour notification - changed from 14 to 21 days
- Pre-determination Hearings - these will be required for some applications as specified in legislation; if a community council makes a representation to the planning authority, it will be given the opportunity to attend and be heard at the committee meeting; the decisions on these applications will have to go to a meeting of the full council for ratification
- Decision Notices - should a community council make a representation on an application, the planning authority must provide details of the decision and how to find out more information on how that decision was made.

8.5 Moray Local Plan

The Joint Secretary confirmed that she had received a printed copy of the Moray Local Plan. This is available on-line at:

http://www.moray.gov.uk/moray_standard/page_57742.html.

9. A.O.C.B.

Memorial Hall Cullen - Proposal for Use as a Heritage Centre: the Chair confirmed that he had received a copy of a letter sent by the Cullen Deskford & Portknockie Heritage Group to the Chief Executive of the Moray Council requesting use of the Memorial Hall during the months of June, July and August 2010 - with the hall to be open seven days a week from 10 a.m. to 12 noon and from 2 p.m. to 4 p.m.

10. DATE, TIME AND PLACE OF NEXT MEETING

The next meeting was confirmed as Thursday 16th April in the Memorial Hall, Cullen Town Hall at 7.30 p.m.