

**Cullen & Deskford Community Council
Meeting on Thursday 16th July 2009
7.30 p.m. in Deskford Jubilee Hall**

M I N U T E S

Present: Professor Ashley Mowat, Chair
Mrs Joyce Henderson, Treasurer
Mrs Zillah Jamieson, Joint Secretary
Mr Sandy Christie
Mr Malcolm Watt

In Attendance: Cllr Gary Coull

Apologies: Mr Thomas Johnston, Vice-Chair
Mrs Monica Wells, Joint Secretary
Cllr Stewart Cree
Cllr Ron Shepherd

1. Welcome And Apologies

The Chair welcomed all attendees to the 18th meeting of the Cullen & Deskford Community Council.

Apologies were noted as above.

2. Minutes Of Previous Meeting (21st May 2009)

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

3. Reports

3.1 Police: in the absence of police representation, no matters were raised. Sergeant Tony McCullie has been assigned to Elgin for 3 months; it is understood that Sergeant Christopher Harris will be attending Community Council meetings in his place.

Mobile police surgery/use of police office: the Joint Secretary confirmed that she had written to Sergeant McCullie (3rd June 2009) to request further dates for the mobile surgery/use of police office, with a request for at least one evening timing to suit those unavailable to attend during the day. She undertook to publicise the dates in the Cullen Library, Cullen Post Office, Cullen Town Hall Noticeboard and two Deskford Halls. Sergeant McCullie responded (4th June 2009) indicating that he would be in a position to provide further dates on the return of PC Ian Dormand from annual leave (26th June 2009). He confirmed that the dates for May were, according to Ian, well received and Ian himself enjoyed being able to spend more time in the Cullen area. Sergeant McCullie also confirmed that he would factor in our request for later surgery times into the next batch of dates which he anticipates will be for the month of July. It was agreed that the Joint Secretary should write to Inspector Spark/Sergeant Harris again to request future dates.

ACTION: Zillah Jamieson

Police Patrols in Cullen Harbour area: the Joint Secretary confirmed that she had written to Sergeant McCullie (3rd June 2009) to request that the police include the harbour on their local patrols - in light of the recent break-ins to boats. Sergeant McCullie responded (4th June 2009) confirming that he had checked their systems and established that an attempt was made to break into a boat at the harbour on 7th May 2009. He confirmed that positive lines of enquiry were still ongoing into this incident. He also confirmed that he had circulated information to the officers based at Buckie, asking that they patrol the harbour as and when they are in the Cullen area. He was not able to give a firm number of how many patrols will take place. The Chair confirmed that patrols are now taking place.

Pedestrian Island, Seafield Street: the Joint Secretary confirmed that she had written to Alastair Keddie (copied to Gordon Holland and Tracey Rae) on 3rd June 2009 (acknowledged 3rd June 2009) to chase a response to the letter of 27th April regarding road safety concerns at the pedestrian island in Seafield Street. A response was received via Tracey Rae (5th June 2009) to the following effect:-

"The island in Seafield Street has been constructed with built out footways which extend into the parking bays on either side of the road. The build-outs were constructed to the absolute minimum length to try and retain as much parking as possible, which had been the main concern expressed by the public.

As you may also be aware, concerns have been raised by Seafield Estates with regard to negotiating the island with a combine harvester. Elaine Penny, Traffic Engineer, met with both the Chief Executive and Farm Manager of Seafield Estate (Friday 5th June 2009).

A solution which would address both their issue and yours would be to extend the length of the build-outs, thereby removing some parking but increasing visibility both of and for pedestrians and allowing an extended run in/out width for the agricultural vehicles which is not compromised by parked vehicles.

The present arrangement was a balance between meeting the needs of pedestrians and the requirement to maintain as much parking as possible. Representatives from both the Post Office and the Antiques warehouse were adamant that there should be a minimum loss of parking. However, if the community council are in agreement that some additional parking could be lost then we can extend the build-out lengths which would solve both the issues.

I hope this is acceptable to you as our Engineer intends to meet Seafield Estates again, in the very near future, to determine the exact dimensions the build outs would have to be extended in order to accommodate the agricultural vehicles, as any works would need to be complete before the harvest time."

It was further notified that another meeting was to be held with the Seafield Estate.

This communication was circulated to Community Council members (8th June 2009). Following responses from some members, a meeting was requested (12th June 2009) with Elaine Penny of the Moray Council to discuss the options available for the crossing, as follows:-

"Many thanks for your e-mail response to our letter of 27th April 2009, and the further e-mail which indicated that Elaine Penny is having a further meeting with the Seafield Estate sometime in June.

You will appreciate from earlier correspondence that the Cullen & Deskford Community Council had raised safety concerns regarding the Pedestrian Island some time ago (our letter dated 12th January 2009 addressed to Alastair Keddie - further copy attached for your information). In addition, there had been extensive e-mail dialogue between our Chair, Professor Ashley Mowat, and Elaine Penny.

At the time, we did not feel that the dialogue satisfied the concerns we had expressed - some of our concerns now being voiced by the Seafield Estate.

In order to have further meaningful dialogue on this topic, we believe that the best way forward is for members of the Community Council to meet with Elaine Penny; unfortunately, our next scheduled meeting is not until July. On this basis, we would propose that Elaine meet with the Community Council - ideally on-site in Seafield Street - so that all the options can be fully discussed, and their relative merits fully debated. We feel that this is absolutely vital."

Elaine Penny indicated in her response that:-

"I am due to meet with Seafield Estates on the Wednesday, but the matters we have to discuss would be of a more technical nature and therefore I feel it would be inappropriate to meet the community council's representatives at the same time.

There are limited options, which include extending the build outs, introducing yellow lines or removing the facility completely. I do not believe that the third option is realistic and the second has its own difficulties particularly with enforcement. The main issue indicated by Seafield Estates is a potential problem when vehicles are parked near to the island.

I believe the first option of extending the build-outs is the best solution which addresses all the concerns that have been raised. However, if you have any further suggestions which have not been considered, I would be grateful if you could advise me of these before we meet."

A meeting was held (22nd June 2009) between the Chair, the Joint Secretary, Elaine Penny, Kevin Price and Andy Duff. Discussion was held on the options available, including a lit crossing. The Moray Council officers indicated that the criteria are not met for a lit crossing (based on number of pedestrians and vehicles). The zig-zag lines at a lit crossing would remove more parking places than an extended build-out which will be the subject of a consultation with residents and businesses in Seafield Street. Elaine Penny undertook to send the research data to the Chair and to provide the comments received from a public meeting held 5/6 years ago (the basis for this and previous works in Cullen - funded by the Safer Schools initiative). The research data was awaited; the public meeting comments had been received by the Joint Secretary, but not yet read.

ACTION: Ashley Mowat/Zillah Jamieson

It was agreed that no further action could be taken, other than await the outcome.

Neighbourhood Watch: the Joint Secretary confirmed that she had written to Sergeant McCullie (3rd June 2009) to establish the police's remit in Neighbourhood Watch, given the absence of an Area Co-ordinator after Ted Newstead's departure, and also to establish who is in a position to assist Deskford in setting up a Neighbourhood Watch scheme. As a result, communication was established with PC Ray Walker, Crime Reduction Officer for Moray who has responsibility for liaising with the Neighbourhood Watch Co-ordinators. He confirmed that the individual street co-ordinators can carry on as normal; however, he does not have their details. Ted Newstead received the monthly e-mail bulletins which he then distributed to the street co-ordinators. He indicated that this arrangement worked well. If an area co-ordinator cannot be found, then the alternative is that PC Walker contact all the street co-ordinators individually, in which case he would need their contact details. The Joint Secretary is attempting to establish the necessary details via Bob Phimister, Ted having disposed of the details in preparation for his move.

ACTION: Zillah Jamieson

PC Walker undertook to assist the Deskford members to set up a Neighbourhood Watch Scheme; the Joint Secretary passed on PC Walker's contact details to the Deskford members (21st June 2009); contact details are 01224 307110; MorayCRO@Grampian.pnn.police.uk. Sandy Christie indicated no progress on this as yet.

ACTION: Tom Johnston/Sandy Christie/Monica Wells

3.2. Local Councillors

No points were raised other than those elsewhere on the agenda.

3.3. Treasurer

The Treasurer confirmed that the bank balance stood at £1,867.86. This includes:-

- £252.51 held in trust for Neighbourhood Watch
- £500 donation for the restoration of the Cullen Harbour Beacon
- £50 donation from Cullen Golf Club in respect of the golf tournament

leaving £1,115.35 available for disbursement.

Textile Recycling: The Treasurer confirmed that Northern Textiles had submitted cheques to the value of £12.00 and £3.50.

Data Protection Renewal: The Joint Secretary confirmed having sent a cheque to the value of £35 (already reimbursed by the Moray Council).

Update on list of ideas on which to spend funds:

Meals on Wheels: Christmas Hampers: following considerable discussion, it was decided not to progress with this initiative.

Outings for elderly/less mobile people: Allan Birnie of the Moray Council confirmed (4th June 2009) that the Community Council insurance policy does not provide motor cover. It was decided to investigate the use of the BABS bus as an alternative before making any final decision on this; possibilities include either commissioning the bus for an outing or providing a donation.

Transport for less able people to Deskford Flower show: ditto comments to above.

ACTION: Zillah Jamieson

Contribution to website: to be discussed further once more information is available.

Contribution to Cullen District Calendar: the first 200 calendars were delivered - see also reference under Agenda Item 4.8 - the Community Council contribution was slightly less than originally expected - £200.

3.4. Funding Update/Incoming Information

No update available in the absence of Monica.

3.5. Events Diary

An updated Events Diary is attached in Appendix 1.

Great Wall of China Walk: The Joint Secretary confirmed having written to Michael and Adrian Sandison (4th June 2009) to suggest that the Community Council arrange an event on their return at which they could recount their experiences and show pictures of their trip - with all proceeds donated to the Royal National Mission to Deep Sea Fishermen. The Community Council would be responsible for all the arrangements for this event, including publicity and the hire of the hall. Michael Sandison accepted the invitation (12th June), suggesting a midweek date in early November; dates are being investigated.

ACTION: Zillah Jamieson

4. Consultation Documents

4.1. General Practice in Scotland: The Way Ahead: The Chair confirmed that he had submitted a response (by 12th June 2009).

4.2. Proposed Revisions to the Moray Council Community Council Scheme 2009-2013: A review has been undertaken of the Scheme and Boundaries prior to the new term starting in October 2009. Details of the documents in question were sent to members (21st June). Following discussion, it was agreed to write an acceptance of the proposed changes.

ACTION: Zillah Jamieson

4.3. Community Council Pilot Project: The Chair confirmed having received a letter (11th June 2009) from the Scottish Government indicating that the Scottish Government (in partnership with COSLA and the Association of Scottish Community Councils) have been developing a package of measures to raise the profile and effectiveness of community councils across Scotland. Six pilot schemes are proposed - two intended to focus on community council elections, two on asset management and two already underway in Glasgow City and North Ayrshire. The Cullen & Deskford Community Council has been identified, along with the others in the Moray area, as potential candidates for undertaking one of the pilots focussing on the promotion of elections of community councils.

A sum of circa £500 will be awarded to each community council to use as they see fit to promote community council elections, with the desired outcome being that this will attract greater interest in becoming a member of the community council and in turn result in contested elections in the area. Assistance and guidance will be available from the Moray Council if required. The grant will have the following conditions:-

- the full amount of money awarded must be used for the purpose of the pilot i.e. the promotion of community council elections
- the moneys must be used legally
- the money may be added to other sources of money if desired
- the money may be merged (e.g. between a number of community councils in the area).

Sufficient community councils within the Moray Council area will require to show interest in order to make the pilot meaningful; this number has been established as 10.

Following consultation with members, it was agreed to submit a positive response - actioned by Joint Secretary (28th June 2009) - and acknowledged on 29th June 2009. We will be contacted shortly after 17th July (closing date for responses) to let us know how it is intended to take forward this pilot project.

A Special Meeting of the JCC was held on 23rd June to discuss the possibility of match funding to enable Community Councils to develop (if desired) a project post elections. At this meeting, there was a proposal for each Community Council to contribute up to £100 to a central "pot" to do a Moray-wide awareness campaign and also the fact that the JCC will try to gain match funding if the pilot scheme goes ahead. Alastair Kennedy has already spoken to John Curry who is the manager for the Northern Scot and all associated newspapers across Moray and, subject to approval and agreement to go ahead, he will price up a couple of options for Moray-wide advertising/profile raising quite quickly. This information was circulated to members (30th June 2009) with a request that they give their views on whether the Cullen & Deskford Community Council would wish to contribute this sum to the central "pot"; as yet, there are no fixed ideas/suggestions on how this money would be used for awareness raising. Not all members responded to this communication, and those who did varied in their views. The Joint Secretary indicated to the Chair of the JCC (11th July 2009) that she would formally respond following the meeting on 16th July 2009. Following discussion, it was agreed that there was a need to formulate possible uses for the central pot of money before a qualified decision could be made, with members not averse to the proposal based on the information available.

ACTION: Zillah Jamieson

4.4. Community Engagement fund: The Chair confirmed having received the appropriate consultation papers on the Community Engagement Fund i.e. the method of funding for Community Councils, Area Forums, the Joint Community Council and the Moray Forum. The relevant papers were distributed to members (28th June 2009). Three options were outlined:-

- Option 1: £1,000 grant to each Community Council and Area Forum, comprising £500 for administration and £500 for projects; plus £500 to both the Moray Forum and the Joint Community Council

- Option 2: £500 basic grant plus per capita amount to Area Forums and Community Councils, plus £500 to both the Moray Forum and the Joint Community Council
- Option 3: Combining Community Council and Area Forum grants, allocating a base grant of £1,500 for the area and a per capita amount per area, plus £500 to both the Moray Forum and the Joint Community Council

Following discussion, it was agreed to respond to the questionnaire reflecting the Community Council's preferred Option - Option 1.

ACTION: Zillah Jamieson

4.5. Supplementary Planning Guidance: Developer Requirements for Housing: The purpose of the guidance is to advise developers, architects, agents etc of what will be required from them when submitting planning applications for housing proposals. Following discussion, it was agreed that no response was required other than displaying the details in the library.

ACTION: Zillah Jamieson

5. Community Plan

5.1. Reduction in Public Facilities in Cullen

A response is still awaited from Bob Stewart, Director of Environmental Services, regarding the green space beside the Community Centre.

The Joint Secretary confirmed having copied Graham Mair's letter to the Chief Executive of the Moray Council and the other groups who had previously written letters of support (4th June 2009 - acknowledged on 4th June 2009).

In following up on this topic, the Joint Secretary confirmed having written to Mr Mark Palmer, Chief Financial Officer (11th July 2009 - and copied to Councillors Coull, Cree and Shepherd) as follows: "Further to your letter dated 7th May on the above topic, I am writing to request an up-to-date position on developments thus far.

In your letter, you indicated that a report would be presented to Council Members towards the end of June. The recent press coverage on the financial circumstances of the Moray Council has only heightened the level of concern in Cullen re potential rationalisation. I had hoped that we would have received a further communication by this point.

The Cullen & Deskford Community Council is meeting on Thursday 16th July, and it would be useful to have your response by then, if possible.

Whilst writing, can I also point out that we have not had a communication from Mr Bob Stewart at all on the Local Plan matter raised in earlier correspondence."

A response from Margaret Wilson (13th July 2009) indicated that Mr Palmer was on holiday until 20th July. She also confirmed having passed on the communication to Bob Stewart.

The Joint Secretary received a telephone call from Cllr Cree (13th July 2009) who had indicated that, at the last meeting of the full Council, he had challenged a statement re savings (£4,000 to be made in Cullen) on the basis that there had been no proper consultation. He had also indicated that the Council should not be "picking on" one community, but that a review should be carried out across all communities in Moray. Minute 47 of the last meeting refers - available on the Moray Council webcast. The Chair confirmed having reviewed the webcast in which it was indicated that Cullen had been proposed as an executive pilot/experiment which, if successful, would then be rolled out across the rest of Moray. Councillor Cree's intervention was successful and it was agreed that the cost cutting exercise would be Moray wide and that Cullen would not be selected out for special attention. This was welcomed by the Community Council, but it was agreed that whatever was planned for Cullen in this regard would be subject to close scrutiny, and that when the property review is made public, and any associated cost cutting exercise is proposed, the Community Council will call another public meeting in the Town Hall to which all 3 councillors will be invited.

5.2. Harbour Committee Report:

Malcolm Watt confirmed that:-

- The new chain is only buried about 12" – 14" according to his information, and this was on the basis of what Henry Runcie had instructed the Moray Council to do with previous chains many moons ago; Malcolm assured the meeting that the matter will be resolved in the near future at zero cost.
- West Pier Lighting: indicative costs are about £1000 per pole, but Keith Stratton is still awaiting written confirmation. With major pressures on the Moray Council's budgets, Malcolm undertook to investigate a mobile gantry on a pilot basis.

ACTION: Malcolm Watt

5.3. Town Hall Report:

Town Hall Flag: The Chair and Joint Secretary confirmed meeting with the Ross Herald (Charles Burnett) on 15th June, at which Charles confirmed the points already indicated in the previous minutes. As a result of the discussion, it was established that an alternative design, incorporating the elements of the former coat of arms, would not require permission from the Lord Lyon, King of Arms, and thus not incur those costs. Following discussion, it was agreed to obtain two quotes for the new design.

ACTION: Joyce Henderson/Zillah Jamieson

The Joint Secretary undertook to contact Margaret Wilson re the status of the application to the Common Good Fund, Cllr Coull having given an indication that the application submitted prior to end March 2009 had recently been approved.

ACTION: Zillah Jamieson

Health and Safety Review on Flagpole: The Joint Secretary confirmed having written to Nick Goodchild (28th June) to request an urgent response to this request so that the flag can be ordered. A response was received from Marian Ogg (30th June) as follows: "Further to your email to Nick Goodchild regarding a Health and Safety Review of the flagpole at Cullen Town Hall, I can confirm after discussion with Property Services that the new flagpole is of correct design and properly fixed to support the raising and lowering of a flag and is therefore safe to use. The Health and Safety of persons carrying out this operation would need to be addressed by yourselves to ensure the adoption of safe working practices. I trust this response will now allow you to move forward with the ordering and flying of the new flag."

Fire/Safety Report: A response is awaited. The Chair undertook to request that the Chair of the Town Hall Committee write to the Moray Council regarding this report.

ACTION: Ashley Mowat

Town Hall Pictures: After successful negotiations with the Moray Council, the 32 Provost Portraits were returned to the former Burgh Chamber on 8th June 2009 (with thanks to Ashley Mowat and Arnold Pirie for their help in transportation). The Heritage Group provided informative cards for each portrait. The portraits are on loan until 1st December 2009 (marking the end of the Homecoming 2009 festivities). The portraits were signed for by the Town Hall Committee.

Property Review: a response from Mark Palmer is awaited. Cllr Coull undertook to establish the up-to-date position.

ACTION: Cllr Gary Coull

Reading Room: no progress.

5.4. Cullen Common Good Fund

Nothing further to report at this time.

5.5. The Lawtie Trust

The Chair had posed two further questions to Rhona Gunn (17th May), as follows:-

- Presumably the Trustees have an obligation to achieve the best returns possible for the Trust; in this time of sensitivity and mandatory transparency, what steps have the Trustees taken to make sure that the market has been fully tested to maximise returns for the Trust?
- What legal steps can be taken to ensure that any long-term lease does not compromise the original intentions of the Lawtie Mortification?

Rhona Gunn's response (1st June) indicated the following:-

"I can reassure you that no agreement has been reached regarding use of the Lawtie land. Indeed, an officer from Estates recently attended at the site and advised that the site may well be of general commercial interest as land for let, and, on this basis, we may come to the conclusion that, in order to achieve not only the best but also the fairest terms, an advertisement must be placed in a local newspaper alerting the public and local businesses to the availability of the land for let. We are still at a preliminary stage in deciding how best to utilise the land however, and it will be some weeks before we are in a position to advise the trustees regarding agreeing terms with anyone.

As regards potential applications for grant assistance from the fund, I look forward to hearing from you once the members of the Community Council have had a chance to consider the various possibilities further."

The Chair confirmed that he is currently preparing a letter to the Chief Executive of NHS Grampian requesting a meeting to ascertain what type of services the NHS are legally obliged to provide and whether there are any obvious gaps which could be filled by use of the Lawtie Trust funds and land e.g. respite centre or hospice.

ACTION: Ashley Mowat

5.6. Floodlighting of the Market Cross/War Memorial

Nothing further to report at this time. Funding applications will require to be investigated before any further progress can be made. A matrix of potential projects and funding sources is to be prepared in order to prioritise action.

ACTION: Ashley Mowat/Zillah Jamieson

5.7. 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; funds raised for the RNLI amounted to £504; presentation to RNLI arranged for 23rd July
16th February	Gents & Boys Haircutting Marathon - Scissors, The Square - funds raised for the Play Centre amounted to £100
15th to 21st June	Cullen, Deskford and Portknockie Heritage Group - Homecoming Week - various events (Primary School and Town Hall) - a very very successful week; significant number of "home-comers"
17/18th June	Seniors Open - run by Seniors Section of Golf Club; Homecoming 2009 funds (£1,000) approved by the Moray Council; coverage in the Banffshire Advertiser (16th June 2009); potential to be very successful event; 54 participants; Golf Club pleased; format welcomed - reasonably unique; there will be no clash with Duff House next year; prominent P & J ads funded by the Homecoming grant; £50 donation received from the Golf Club - thank you letter to be written.

ACTION: Zillah Jamieson

11th/12th July	Craft Weekend - in aid of RNLI and PoppyScotland (Town Hall)
26th July	Historic Tractors and Cars: ground booked through Moray Council (The Link); public liability insurance arranged through Moray Council; risk assessment finalised; arrangements in hand; final team meeting 22nd July 2009
31st July/1st and 2nd August	Art Group event
8th/9th August	Craft Fair - Christmas Lights Group (Town Hall)
28th August	Musical Evening (to incorporate the bottle competition outstanding from the Burns Supper - all funds from the bottle competition to the RNLI)
31st October	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

5.8. Cullen District Calendar

The responses to the queries raised at the last meeting are as follows:-

- On the back of the calendar, it states that it is "produced jointly by the Cullen & Deskford Community Council and the Heritage Group"
- A selling price of £3.95 had been agreed with the Heritage Group, with both the Heritage Group and the Community Council having undertaken to sell 100 copies each; whilst reprints will have to be paid for at the time of production, it is anticipated that reprints will be paid from the surplus made on the original order
- The Heritage Group is very aware of the lack of Deskford pictures; unfortunately, this came about as a result of two factors: an absence of volunteers to take additional new images and the lack of a sufficiently great contrast between new and old to fit in with the theme of the calendar.

The Heritage Group has undertaken to sell calendars amongst their members, in Portknockie, in Buckie, and at the Cullen event in the Town Hall (at which they proved very popular). As a result, the Heritage Group has arranged for a further reprint of 50. The Community Council has arranged sales through retailers in Cullen, with all 100 calendars having now been "placed" - and with a request from one retailer for further stock. Promotional posters have also been placed in strategic locations; press coverage is an outstanding action. Following discussion, it was agreed to order a reprint of 50 calendars

ACTION: Ashley Mowat/Zillah Jamieson

5.9. Cullen Website

At the meeting of the Cullen Voluntary Tourist Initiative on Tuesday 2nd June, the members agreed with the recommendations put forward by the panel (page 2 of the progress report), with the condition that a supplier from Portknockie should be approached first of all to ascertain his current workload commitments and his potential ability to quote for and deliver the website in the same sort of timescale currently being considered (i.e. first stage website by November of this year). The Tourist Initiative expressed concern regarding the cost, which, whilst not expensive overall for a quality website, is "expensive" for the potential funds available. The Tourist Initiative also agreed that they would not underwrite the cost of the first stage website in order to allow work to commence; everyone was in agreement that the development costs must be funded by external funding sources.

A proposal has now been received from the supplier in Portknockie; some technical considerations have been clarified, and it is hoped to arrange a meeting with him during the week commencing 20th July (the arrangements having been complicated by holiday periods). If appointed, he will be able to deliver a first-stage website by November (dependent upon the start date which is dependent upon funding). In the meantime, the other 3 organisations have received a communication from the Joint Secretary asking for their patience and advising that some delay in a decision has occurred as a result of further considerations by both the Community Council and the Cullen Voluntary Tourist Initiative.

Should funding not become available for the "ideal" website, consideration will be given to DIY and template-based options, one of which has been highlighted by the Vice-Chair.

ACTION: Zillah Jamieson

5.10. Cullen Community Garden

As reported below, the Criminal Justice Services unit has commenced work on tidying up the Community Garden, although the work was temporarily suspended due to disturbance to birds' nests.

Nothing further to report.

ACTION: Ashley Mowat

5.11. Criminal Justice Services Projects

The following list of projects is being actively progressed:-

- Cullen Beach tidy-up: being undertaken regularly
- Viaduct - litter tidy-up: being undertaken regularly
- Deskford Community Centre: being undertaken regularly
- Cullen Community Garden: work in progress, but temporarily suspended due to disturbance to birds' nests; will be resumed shortly
- Crannoch Hill path: site visit taken place and approval for work sought from the Moray Council; response noted below
- Coastal path to the east of Cullen: no action as yet

- Cullen Town Hall - internal painting: in abeyance in anticipation of Property Review and outcome of discussions with Nick Goodchild.

Following discussion, it was agreed to request that a tidy-up of the two sandy areas at the harbour (litter/removal of seaweed and of flotsam/jetsam) should be added to the above list.

ACTION: Zillah Jamieson

The Joint Secretary confirmed having written to the Chief Executive of the Moray Council, copied to Gordon Holland and Tracey Rae (4th June 2009) to request their approval for work on the Crannoch Hill path (acknowledged 4th June 2009). A response was received from Tracey Rae as follows:-

"With regard to your request for permission to carry out the footway works using labour supplied by the Criminal Justice Services Team; unfortunately there is a problem with this suggestion in Health and Safety terms. All works on the road (which includes the verge) must be carried out by a trained operative and supervised by a qualified street works Supervisor. That is, every operative who works on the road, whether for the Council, Public Utility Company or Private Contractor, must have the appropriate accreditation for the work they are doing. They must have a current certificate, usually in the form of a photo card showing the type of work they are authorised to undertake. Anyone supervising such work must also have the appropriate supervisor's certificate. If each of the workers and their supervisor has the necessary accreditation, I would be delighted to support this endeavour, but it would not be practical to suggest that the workers undergo the training required to gain this qualification just for this project. The necessary permits and specifications can be supplied by the Transportation Section of Direct Services. I am sorry if this appears to be negative, but I am sure you will understand that the Council must comply with the Health & Safety requirements, as we require all others working on the road to do. I trust the above is satisfactory for your purpose meantime."

This information was relayed to Mike McRitchie, Criminal Justice Services Unit (28th June 2009), who commented as follows: "I thought there might be some health and safety issues but not that bad. None of us have the necessary qualifications to carry out the work so I am afraid we cannot help in this case."

Following discussion, it was agreed to write to Ian Douglas to ask him to consider the merits of taking action on the path.

ACTION: Zillah Jamieson

6. Planning

6.1. Cullen Harbour Lighthouse

The on-going "saga" of the Lighthouse was raised with Gordon Holland/Keith Stratton at a recent Joint Harbours Committee. They confirmed that they were still awaiting quotes. One supplier (Varis Engineering) had advised that, for galvanised steel, it would need to be done in the central belt due to size; Keith Stratton is hoping to get a written quote for fibreglass from Balmoral Engineering in the near future, which is a contact given to him by Malcolm Watt a couple of months ago. The most favourable quote received thus far is for a replica lighthouse which would be virtually maintenance free for a number of years (£8,000).

However, further discussions will be held with Varis Engineering to establish the costs involved in restoration, rather than replacement. Gordon Holland has indicated his desire to bring matters to a conclusion very soon. Approaches will be made to those Councillors representing harbour communities with a view to requesting their support in progressing this matter. Malcolm Watt undertook to pursue the various Beacon repair/replacement estimates with Keith Stratton and report back.

ACTION: Malcolm Watt

Moray Council has pledged £3,000 for the restoration/replacement fund; in addition, David Williamson's widow has already entrusted the Community Council with £500. The recent actions by the Angling Club are welcomed as fund-raising will undoubtedly be required.

Note was taken of the P & J article which contained a number of inaccuracies; it was agreed to write a letter to the P & J setting out the facts.

ACTION: Zillah Jamieson

6.2. Lintmill Nursery

The Joint Secretary confirmed receipt (4th June 2009) of the outline planning permission granted to the residential development of up to 15 houses on this site.

6.3. Limiting the role of Community Councils in the local planning process in Moray

As a result of an article in the Banffshire Advertiser, the Chair wrote to Cllr Stewart Cree (12th June 2009) to express his disappointment at the recent vote to limit the role of Community Councils in the local planning process in Moray - which he saw as a further weakening of the local democratic machine and will be a significant disincentive to those considering involvement in community council work when the next tranche of voting takes place in October. He expressed the view that, while Regional Councils do have discretion in this matter, this decision does seem to fly in the face of central government's attempts to allow Community Councils greater, not less, involvement in the planning process. In addition, there is now a public requirement for greater involvement and transparency in all forms of government which this decision will do little to foster.

Cllr Cree's response (15th June 2009) "offered some assurance that the revised Scheme of Delegation approved by The Moray Council on 26 May 2008 does not in any way exclude consultation with Community Councils and other statutory consultees (SEPA etc). What has changed is that issues raised by such consultees will initially be considered by Officers rather than automatically being presented to Councillors. The process, as agreed, will ensure that it is still to be expected that any major unresolved issue will come before Committee. However the revised procedures will now act as a sieving process so that the Council, in line with the modernisation agenda being promoted by the Scottish Government, will concentrate on more strategic issues thus accelerating the process for everyday applications and ensuring better value for council tax payers.

I am very much conscious of the continuous and increasing criticism of the Moray Council planning process which is seen as being unnecessarily pedantic and lethargic. The new Planning Act seeks to address such difficulties by encouraging Councillors to concentrate on significant and important issues and to devolve decisions on everyday matters to Officers of the Council. With this object in mind I supported the Delegation Scheme as a move towards such modernisation. I believe that the role of Community Councils remains as it was and I will be monitoring the new processes to be satisfied that this is the case.

It is however worth recognising that the importance of the Development Plan in the planning process has traditionally been understated and I would hope that in the future Community Councils are encouraged to have a far greater stake in shaping the overall land use in their areas. This is potentially the area where Community Councils can make the most impact and I look forward to having further discussions with all Community Councils on this matter in due course."

The Chair's reply (15th June 2009) expressed his hope for the same access to the Planning Committee as before should there be a unanimous Community Council objection (backed by a large number of individual objectors) - as happened in a recent case in Cullen. He also expressed the view that the local Development Plan sadly does not at present have much bearing on what eventually gets planning permission. Despite anxieties, the plan to expedite non-controversial planning decisions must meet general approval, and will be welcome news for anyone who has had experience of the current very tedious and lengthy process.

Cllr Cree (16th June 2009) expressed his high regard for the work undertaken by Community Councils and confirmed his continuing efforts to protect their interests and involvement in planning issues at all levels.

6.4. Weekly List

In the Weekly List dated 5th June, the following application appeared:-

- Proposed alterations and extension to dwellinghouse to provide additional living accommodation at Willow Cottage, Lintmill.

In the Weekly List dated 19th June, the following applications appeared:-

- Internal alterations to form a guest house and self-contained accommodation at the Royal Oak Hotel, 43 Castle Terrace, Cullen
- Listed building consent for internal alterations to form a guest house and self-contained accommodation at the Royal Oak Hotel, 43 Castle Terrace, Cullen
- Retrospective planning for new fence line at 41 Ogilvie Park, Cullen
- Form shower room dormer and balcony to kitchen at 8A Grant Street, Cullen.

These were not deemed to be of community interest.

7. Points for Noting/Information

7.1. Licensing Board Applications

Licensing Board Applications are being monitored on a weekly basis by the Joint Secretary. There have been none since the last meeting.

7.2. Correspondence

None to report.

7.3. Publicity

None other than that indicated elsewhere in the Agenda.

7.4. Suggestion Boxes

None to report.

7.5. Confirmation of other actions taken

None to report.

7.6. New Dog Fouling Procedures

The Joint Secretary confirmed that she had been advised (25th May 2009) of new dog fouling procedures and the new stance taken in relation to dog fouling and the issuing of fixed penalties for dog fouling. The main point made is that warnings will no longer be issued to dog owners prior to a fixed penalty notice. This follows increased concern at the extent of dog fouling. The Safer & Stronger Strategic Group has also authorised wardens to deploy mobile CCTV cameras to dog fouling "hot spots" to help detect offenders.

8. A.O.C.B.

8.1. Community Council Election Timetable

Information was distributed to members (11th July 2009); key dates included:-

- Notice of Election - Start of Nominations from Friday 14 August until the close of nominations on Tuesday 22 September 2009
- Notice of Poll (if required) Friday 25 September
- Postal Voting from Thursday 15 October through to Close of Poll on Thursday 29 October 2009

The term for established Community Councils that do not require a ballot will start on 5th October. All other Community Councils that require a ballot because they are contested will be in abeyance until the ballot is held and results of the ballot are declared.

This means that the last official meeting of the current Cullen & Deskford Community Council will take place on Thursday 17th September 2009.

8.2. Relocation of Community Council Liaison Officer

With effect from 6th July, Tracey Rae has relocated to Unit 7, Elgin Business Centre, Maisondieu Road, Elgin IV30 1QP; telephone number: 01343 554316; e-mail address will remain unchanged as tracey.rae@moray.gov.uk.

8.3. Post Office

Note was taken of the potential developments with the Cullen Post Office; it was agreed to write a letter to the P & J reiterating the Community Council's support for the retention of a post office facility in Cullen.

ACTION: Zillah Jamieson

8.4. Medical Centre

Following an approach to the Vice-Chair from a concerned resident, the Joint Secretary confirmed that the Practice Manager of the Medical Centre had advised her that the new Medical Centre will be built on the land in front of the Seafield Farm. Plans had been on display at the Pensioners Meeting, and a public meeting will be held in the next few weeks. She confirmed that the Medical Centre would not be built on the green area adjacent to the Community Centre.

8.5. Road and Traffic Problems

A number of concerns were raised as follows:-

- Auld Kirk road: danger associated with excavated ditch and excavated sub-station; dog bin not emptied
- Open sewer at bottom of lane beside the old church in Seafield Street
- Construction traffic in Glebe Park Crescent
- Repeated dog fouling on the beach
- State of Glebe Park Crescent - requiring resurfacing
- State of York Place, with significant puddles during wet weather
- State of repair of tarmac at the lower end of Reidhaven Street.

Cllr Gary Coull undertook to follow up on all of these concerns.

ACTION: Cllr Coull

9. Date, time and place of next meeting

The next meeting will take place on Thursday 20th August in the Memorial Hall, Cullen Town Hall at 7.30 p.m.

APPENDIX 1**EVENTS DIARY**

Date	Event	Location
17th and 18th July	Summer Festival	Cullen Town Hall
25th and 26th July	Patchwork and Quilting Show	Cullen Town Hall
26th July	Historic Cars and Tractors	The Links, Cullen
31st July/1st and 2nd August	Art Group Exhibition	Cullen Town Hall
8th and 9th August	Craft Fayre	Cullen Town Hall
19th August	Cream Tea, Christian Aid 19.00 - 21.00	Hall Church
22nd August	Deskford Flower Show	Deskford
28th August	Musical Concert	Cullen Town Hall
12th September	Coffee Morning - Cullen, Deskford and Portknockie Heritage Group	Cullen Town Hall
31st October	Christmas Fair - Christmas Lights Group	Cullen Town Hall
14th November	Coffee Morning - Cullen Methodist Church	Cullen Town Hall
28th November	Musical Event	Cullen Town Hall