

**Cullen & Deskford Community Council
Meeting on Thursday 8th October 2009
7.30 p.m. in Memorial Hall, Cullen Town Hall**

M I N U T E S

- Present:** Mrs Joyce Henderson
Mrs Zillah Jamieson
Mr Jim Mackay
Professor Ashley Mowat
Miss Sasha Reid
Mr Malcolm Watt
- In Attendance:** Mrs Gillian Bailey (Moray Council)
Cllr Stewart Cree
Cllr Ron Shepherd
- Apologies:** Miss Emma Hay
Miss Catherine McKelvie
Mr John Robertson
Cllr Gary Coull

1. Welcome And Apologies

Gillian Bailey (standing in for Tracey Rae, Community Council Liaison Officer) welcomed all attendees to the 1st meeting of the new term.

Apologies were noted as above.

2. Election of Office Bearers/Members Handbook

Gillian Bailey chaired the election of office bearers as follows:-

Chair: Ashley Mowat (proposer Malcolm Watt, seconder Zillah Jamieson)

Vice-Chair: Malcolm Watt (proposer Ashley Mowat, seconder Zillah Jamieson)

Treasurer: Joyce Henderson (proposer Malcolm Watt, seconder Ashley Mowat)

Secretary: Zillah Jamieson (proposer Malcolm Watt, seconder Ashley Mowat).

Gillian Bailey distributed copies of the Community Council Members' Handbook to those attending. A request was made for 4 further copies for those members not present.

ACTION: Gillian Bailey/Zillah Jamieson

3. Community Support Unit

Gillian Bailey presented an overview of the aims of the Community Support Unit, created on 1st August 2009 to support community groups in building community capacity. The unit is currently undertaking a mapping exercise to inform the Work Plan for the next 12/18 months. She had already met with Ashley Mowat and Zillah Jamieson in this connection. There are 3 phases to the Work Plan: Phase 1 includes Community Councils, Village Halls, Community Associations and Area Fora. Phase 2 includes the Knock Drive project and various others. Phase 3 includes every other community group.

She also left copies of the Rural Housing Questionnaire; Jim Mackay indicated that he is on the Board of Advisors.

Gillian Bailey then left the meeting, with thanks expressed for her attendance at the inaugural meeting.

4. Minutes of Previous Meeting (17th September 2009)

The Chair welcomed Jim Mackay and Sasha Reid to the Community Council, and emphasised in particular the importance of young people on the Community Council to represent the ideas and requirements of that age group.

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

5 Reports

5.1 Police:

Police: there were no police representatives present.

Mobile police surgery/use of police office: Following dialogue with PC Mairi Page, the Secretary reported having publicised two dates in the Cullen Library and Post Office, the Deskford Jubilee Hall and Community Centre, and on the Cullen Town Hall Noticeboard:-

- 9th October: the mobile office to be in situ at the Primary School from 14.30 (when parents and children would be in the area; this had been trialled in other villages and it had been quite successful). Thereafter, the mobile office would move to the Square for 2 hours; the plan was also to incorporate foot patrols in the area - with PC Dave Crawford or PC Mairi Page manning the office whilst the other carried out a foot patrol
- 11th October 2009 (12.00 - 15.00): PC Iain Dormand to be present in the Police Office.

The foot patrol was welcomed by all those present.

Pedestrian Island, Seafield Street: the Secretary reported having written to Elaine Penny (27th September 2009) as follows:-

"Many thanks for your e-mail of 14th September 2009 in response to our earlier communications regarding the Pedestrian Island in Seafield Street. We have noted all the points made and these were discussed at our last Community Council meeting. We do of course respect your professional opinion as to the way forward with this particular issue, but I have been asked by the Community Council members to respond to you to express our continuing concerns.

Firstly, we are somewhat indignant, nay outraged, that you should call into question the "evidence" of several reliable witnesses to the traffic manoeuvres which are occurring as a result of the new crossing. We are very happy to provide you with the names of those people who have seen with their own eyes the incidents earlier outlined to you. We also recommend that you approach the retailers at the Grant Street/North Castle Street junction who will testify to the number of near accidents occurring at that junction.

Secondly, the near accidents at this junction do remain of grave concern to members of the community.

Thirdly, we had hoped that the Moray Council would use the discretion available to them (as indicated in the documentation provided to Professor Mowat) to take into account that Seafield Street bisects the town and contains a large concentration of retail outlets.

Fourthly, we appreciate that the PV squared formula may not yield the result to justify a lit crossing, but you have not actually calculated it.

Fifthly, we would highlight the positioning of the Rothienorman crossing which, in our lay opinion, would appear to have the same characteristics as Seafield Street.

It is important to us that we have put forward the above points in order to demonstrate the grave concerns still being felt by the Cullen community."

A response is awaited.

Cllr Cree expressed the view that the criteria must be recognised; whilst he would back the calculation of PV squared, he felt it was unlikely to yield the result; he indicated that he would support the community's feeling within the rules of the scheme. Malcolm Watt pointed out that a Moray Council vehicle had been seen on the wrong side of the road. Jim Mackay emphasised the additional traffic that would result from the move of the medical centre to Seafield Road, and raised the viability of a standard zebra crossing.

Cllrs Cree and Shepherd undertook to request the PV squared calculation.

ACTION: Cllrs Cree/Shepherd

Neighbourhood Watch: the Chair had spoken with Bob Phimister previously, who had promised to look out any residual information on his PC and pass this on to us, Ted Newstead having disposed of the details in preparation for his move. A further approach will be made.

ACTION: Ashley Mowat

Jim Mackay indicated his interest in being a Neighbourhood Watch co-ordinator.

ACTION: Jim Mackay

Neighbourhood Watch Deskford Scheme: this will be followed up with John Robertson.

ACTION: John Robertson

5.2 Local Councillors

All relevant items were contained within the agenda.

5.3 Treasurer

The Treasurer confirmed the bank balance as £3,482.80 (minus £240 of uncashed cheques), of which the sum of £1,578.51 is ringfenced. This leaves available funds of £1,664.29.

Textile Recycling: no further cheques had been received.

Outings for elderly/less mobile people: outstanding action point.

Contribution to website: outstanding action point.

Contribution to Cullen District Calendar: the financial figures remain the same as reported in the last Minutes. It is planned to visit all retail outlets to gauge the level of demand for the last batch, with a view to a further reprint if required.

ACTION: Zillah Jamieson

Contribution to Cullen Beacon campaign: the meeting was reminded of the previous decision to donate £500 to this campaign.

5.4 Funding Update/Incoming Information

The Chair reported on a comment from MSP Richard Lochhead to the effect that he is awaiting a ruling from Europe to change the LEADER split from 50/50 to 90/10. This could make a substantial difference to the viability of applications to the LEADER fund.

5.5 Events Diary

Draft Events Diary attached as Appendix 1.

Great Wall of China Walk: the Secretary reported that the date had been confirmed as Wednesday 11th November 2009. The Main Hall in the Town Hall was booked, and further discussions had been held with a view to commencing promotion of the event in October.

ACTION: Zillah Jamieson

6. Young Members

The Secretary reported that she had written (28th September 2009) to both Buckie High School and Keith Grammar requesting nominations for Young Members. The following nominations were received:-

Sasha Reid (Cullen) - present

Tabitha Smith (Drybridge) - still to contact

Emma Hay (Cullen) - apologies for this meeting

Catherine McKelvie (Berryhillock, Deskford) - apologies for this meeting.

ACTION: Zillah Jamieson

7. Community Council Pilot Project

Pilot Funding: In response to a query from Zillah Jamieson regarding the balance of funds remaining from the funding, the following response was received from Anna Gilbert (22nd September 2009): "When deciding on the level to be given to each community council for the purpose of the pilot, it was agreed that £500 was a realistic level required by each community council to take forward a meaningful pilot. We would expect the full amount of the grant to be utilised, however, if this is not the case, this will be reflected in the "Summary Report", outlined at Section 8 of the Terms and Conditions of Grant.

Any surplus funds would be required to be shown and this information would be used in the overall evaluation of the pilot (i.e to look at whether £500 per community council was sufficient for the purpose, or not). As the grant awarded to each community council was not excessive, and we feel that the full amount will/should be used, we would expect any surplus funds to be minimal and therefore they may be retained for the benefit of the community council."

LEADER Funding: The Chair confirmed that the LEADER funding application (via Alastair Kennedy) had been approved; the Secretary undertook to e-mail Alastair Kennedy to clarify the next steps in the process.

ACTION: Zillah Jamieson

8. Community Plan

8.1 Reduction in Public Facilities in Cullen

Public Notice ref most recent developments: Zillah Jamieson reported having put up a public notice regarding the response from the Moray Council (28th September 2009). Attached as Appendix 2. Cllr Cree confirmed that this issue had been completely "back-burnered" and that he was satisfied that only a Moray-wide review would take place. Cllr Cree emphasised the severe financial difficulties within local government at present.

Designated land adjacent to the Community Centre: Zillah Jamieson reported having put up a public notice regarding the response from the Moray Council (28th September 2009). Attached as Appendix 3.

8.2 Harbour Committee Report:

Malcolm Watt confirmed that the chains and buoys had been delivered, providing a further potential 12 berths.

8.3 Town Hall Report:

Town Hall Developments: there seemed to be little progress on the way forward, and the meeting concluded that a stalemate was not acceptable. Cllrs Cree and Shepherd undertook to consult with Nick Goodchild re a possible way forward, and to confirm the monies available for this year's delivery. The LEADER rules changing and the Rural Development Programme could provide potential sources of funding.

ACTION: Cllrs Cree/Shepherd

Town Hall Flag: Potential designs for the flag are being considered. The Secretary undertook to contact the Ross Herald re a possible design.

ACTION: Joyce Henderson/Zillah Jamieson

Fire/Safety Report: A response is awaited.

Property Review: no progress.

Reading Room: no progress.

8.4 Cullen Common Good Fund

Nothing further to report at this time.

8.5 The Lawtie Trust

A response is awaited from NHS Grampian.

Jim Mackay confirmed that the Allotment Group had put forward a proposal to the Lawtie Trust at the beginning of September. The proposal contained two parts - taking the whole land to create a food forest and allotments. In addition, the Group had made an application to Village SOS which was wholly dependent on getting all of the Lawtie land forever for nothing. Plan B is to take a small part of the ground.

ACTION: Ashley Mowat/Jim Mackay

8.6 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. Jim Mackay raised sustainable lighting as a desirable feature.

The Cullen & Deskford Heritage Group had advised that, as part of the Moray Connections Homecoming, there is provision for 4 interpretation panels across Moray - similar to that by the harbour for Thomas Telford. One of these panels can be sited in Cullen around the market cross; the panel would have some guidance to show other historic sights in Moray, but mainly hand-drawn images of historic landmarks in and around Cullen, including the market cross. The Heritage Group is looking for support to get the panel placed near to the market cross, noting that the area is sensitive (listed market cross), but also noting the positioning of the bus shelter. The Moray Connections team had already approached Planning and Roads departments. The Heritage Group is looking for the panel to be incorporated into the lighting plans and would also welcome ideas for content. It was agreed to discuss this further at the next meeting.

ACTION: Ashley Mowat/Zillah Jamieson

8.7 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 took place 23rd July 2009; letter of thanks received from RNLI (4th August 2009)
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
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 of 16th June 2009; a successful event despite the weather on the first day; it is hoped to repeat the event in 2010; letter of thanks sent to Cullen Golf Club (3rd August 2009) acknowledging donation of £50
11th/12th July	Craft Weekend - in aid of RNLI and PoppyScotland (Town Hall)
26th July	Vintage Tractors and Cars: successful day despite weather; location popular with exhibitors; to be repeated next year; good press coverage in the Banffshire Journal (21st July), Banffshire Advertiser (21st and 28th July) and on Moray Firth Radio
31st July/1st and 2nd August	Art Group event
8th/9th August	Craft Fair - Christmas Lights Group (Town Hall)
18th September	Musical Evening of Local Talent (primary and secondary school pupils); very successful evening with audience of circa 100; £296 (less cost of hall) raised for Cullen Primary funds
31st October	Christmas Fair - Christmas Lights Group (Town Hall) - all arrangements well in hand; 10 until 4; all proceeds to be donated to MS; promotional poster to be displayed by 10th October; Community Council to provide refreshments during day
28th November	Musical event - Whiskers Galore - Bowling Club (to incorporate the bottle competition outstanding from the Burns Supper - all funds to the RNLI); stovies organised; Zillah Jamieson to establish whether there will be a charge from the Bowling Club

30th November	Beacon to be lit on the Bin Hill - courtesy of Seafield Estate/possible bonfire on foreshore; arrangements in hand; Golf Club and provision of soup organised subject to approval from the Moray Council for bonfire; Zillah Jamieson to establish the Earl of Seafield's availability; Simon Tucker has offered wood for bonfire; Fire Brigade to be requested to be present
5th December	Christmas Lights Switch-on - Christmas Lights Group

8.8 Cullen District Calendar

See reference under Section 4.3.

ACTION: Ashley Mowat/Zillah Jamieson

8.9 Cullen Website

Funding applications are currently being investigated.

ACTION: Zillah Jamieson

8.10 Cullen Community Garden

No further update at present.

ACTION: Ashley Mowat

8.11 Criminal Justice Services Projects

The list of projects being actively progressed include Cullen Beach tidy-up, Viaduct - litter tidy-up, Deskford Community Centre tidy-up, Cullen Community Garden - work in progress.

Other potential projects include:

- Crannoch Hill path: a response is awaited from Gordon Holland
- 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.

ACTION: Zillah Jamieson

9. Planning

9.1 Cullen Harbour Lighthouse

A response from Gordon Holland/Keith Stratton to our letter of 1st September was tabled and discussed; copy attached as Appendix 4.

Following extensive discussion, it was agreed that the key points which must be clarified fully include:-

- full details of the work to be undertaken (e.g. demolition, construction, painting and maintenance)
- the actual costs involved; to date, these have been inconsistent and not comprehensive.

All were agreed that any fundraising campaign must be clear about the amount to be raised, and it would be grossly unfair to mislead (no matter how innocently) those who are currently being so generous, and hopefully will be in the next few months. It was felt essential to update the current campaign posters which indicate an erroneous amount. It was also felt essential to ask the supplier to agree to a future fixed price. It was proposed that, with the permission of the Angling Shop, we collect all funds in one place, with publicity arranged for the handover of funds, and a public display created to show on-going progress to the finally agreed amount. It was noted that the Angling Shop have raised £1,207 thus far, which is very commendable. This can be combined with £500 from Mrs Williamson, £500 from the Community Council, £3,000 from the Moray Council, £200 from Steve Findlay, and a potential contribution from the Cullen Voluntary Tourist Initiative (yet to be agreed by their committee).

Cllrs Cree and Shepherd undertook to have discussions with Gordon Holland/Keith Stratton to move things forward; in addition, the Secretary was tasked with writing to convey the details of the discussion.

ACTION: Cllr Cree/Cllr Shepherd/Zillah Jamieson

The Secretary undertook to write a thank-you letter to Steve Findlay.

ACTION: Zillah Jamieson

9.2. Former Filling Station Site, Cullen

Ashley Mowat confirmed having written in his capacity as outgoing Chair (26th September) to Cllrs Coull, Cree and Shepherd re the most recent planning application at the above site. His e-mail + Cllrs Cree and Shepherd responses are attached as Appendix 5.

During the discussion, Cllr Cree indicated that he considered this application a blatant departure from the original approval, and had e-mailed Donald Lunan to establish whether any consideration was being given to the application. Cllr Cree also confirmed that creeping permissions had been stopped.

Jim Mackay indicated that a letter of objection from a member of the community had received a response indicating that the time for objections had been extended because the application represented a departure from the plan.

Cllr Cree confirmed that it is not in the community's interests to have local councillors say that they will represent the community in planning applications. Councillors can listen to community views and express the view of the community provided they are planning issues. Cllr Shepherd undertook to express the views of the community at any future meeting/hearing.

9.3 Weekly List

There have been no planning applications of community interest featured on the Weekly List.

10. Points for Noting/Information

10.1 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.

10.2 Correspondence

Bus Shelter North Side Castle Terrace Seatown: The Chair indicated that a representative of the Moray Council had acknowledged the problem in e-mail exchanges and that the matter would be reconsidered once funds became available.

10.3 Publicity

None since the last meeting.

10.4 Suggestion Boxes

Nothing to report.

10.5 Confirmation of other actions taken

Children's Play Fund: Zillah Jamieson confirmed having advised the Cullen Play Centre (26th September 2009) of the existence of this funding source - receipt acknowledged 30th September 2009.

Dental Facilities in New Medical Centre: Zillah Jamieson confirmed having written to the Practice Manager (28th September 2009) as follows: " I am writing on behalf of the Cullen & Deskford Community Council to enquire whether the Medical Practice had given consideration to the incorporation of dental facilities in the new premises.

Given the current lack of dental provision in this area and the number of residents either not registered with an NHS dentist or travelling far afield to avail themselves of NHS facilities, it was felt that the inclusion of dental facilities would be a very worthwhile development for Cullen and the surrounding area."

A response is awaited.

10.7 Committees/Subgroups: a discussion was deferred to the next meeting pending full consideration of the Community Council Members' Handbook.

ACTION: Ashley Mowat/Zillah Jamieson

11. A.O.C.B.

11.1 Certificates of Achievement: consideration to be given to this at next meeting (with potential recipients Lauren McGregor - dancing achievements, Steve Findlay - immeasurable work in fundraising and the Pet Cemetery).

ACTION: All

11.2 Road and Traffic Problems:

Auld Kirk Road: action on dog bin now complete.

Open Sewer at Bottom of Lane beside the old church in Seafield Street: Cllr Coull had previously indicated that this matter had been referred to the Transportation Section to follow up with the developer/utility contractors. It was suggested that the Secretary write to Adam Robertson and Keith Stratton re the issue.

ACTION: Zillah Jamieson

11.3 Cullen Burn Bridge Railings: The Secretary confirmed having received an e-mail from Lyn Cameron (resident of the Seatown) to the following effect: " I work as a photographer with the Banffshire Advertiser and see you have a community council meeting coming up on the 8th. Could you possibly bring up a subject that's been worrying me for some time? The state of the railings on the bridge over the Cullen Burn has become terrible and now poses a real danger, especially to small children. There are spots where there is no barrier at all and it would be easy for a toddler to slip to one side and fall into the often fast-flowing burn. If you take a visit to the area, I'm sure you'll understand what I mean. The bridge is also a magnet for little ones who play "Pooh sticks"!

If any money can be found for repairs, I think it should go to the top of the list before a tragedy happens. Needless to say, I'll be happy to come along and take photos for the paper if this helps."

Following discussion, it was agreed that a letter should be written to Ken Kennedy, Land and Parks Manager, and, if appropriate, the Seafield Estate.

ACTION: Zillah Jamieson

12. Date, time and place of next meeting

Following discussion, it was agreed that meetings should be held on the last Thursday of each month, commencing at 7 p.m. - subject to the agreement of those members not present.

The venue for the meetings would be discussed at the next meeting.

APPENDIX 1**EVENTS DIARY**

Date	Event	Location
10th October 10.00 - 12.00	Soup and Sweet	Cullen Bowling and Tennis Club
10th October	Charity Supper Dance, Deskford & District Community Association	Deskford Community Main Hall
31st October	Harvest Home & Hallowe'en Celebration	Deskford Community Main Hall
31st October	Christmas Fair - Christmas Lights Group	Cullen Town Hall
11th November	Great Wall of China Walk - A presentation	Cullen Town Hall
14th November 10.00 - 12.00	Coffee Morning - Cullen Methodist Church	Cullen Town Hall
28th November	Whiskers Galore	Cullen Bowling and Tennis Club
30th November	St Andrews Celebration (provisional)	Cullen Golf Club
5th December	Christmas Lights Switch- On	Cullen Town Hall
January 2010 Date TBC	Burns Supper (Deskford & District Community Association)	Deskford Community Main Hall

APPENDIX 2

Following the public meeting held earlier this year in the Town Hall, the Community Council has now received a communication from Mark Palmer, Chief Financial Officer, which would indicate that the original savings target of £4,000 (as outlined in the financial plan approved in February 2009) has been reviewed and challenged.

The Administration Group Council Members have now decided that, rather than singling out Cullen for "special" attention, an area-wide review will be undertaken to identify potential savings across the whole of Moray. Mark Palmer advised that "The Administration Group have indicated that any rationalisation of facilities should consider all Moray communities. This does not represent a formal decision of the council, but as the Administration Group is, effectively, responsible for preparing a budget for consideration by the council, I take the lead from this group in coordinating the council's financial plan. A review of facilities for all Moray communities is a bigger task than a review of a single community and I cannot give an indication of the timing for such a review.

The current position regarding future financial plans is that the Administration Group is due to finalise its list of potential budget savings by the end of October for consultation during November and early December. The consultation arrangements will be publicised and will be available in local libraries and on the Council's Internet site.

At this stage I would indicate that it is highly unlikely that the saving of £4,000 will be achieved in the current year and that it is unclear whether a rationalisation of facilities in communities will or will not be included on the list of potential savings for consultation."

APPENDIX 3

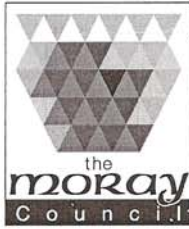
Following the public meeting held earlier this year in the Town Hall, at which a query was raised regarding the designation of the green area adjacent to the Community Centre, the Community Council has now received a communication from Mark Cross, Principal Planning Officer, as follows:-

"The site was identified as an area of Council owned land which was surplus to requirements and may have development potential. It had been discussed as a possible location for a new health centre for NHS Grampian. Accordingly it was designated as an Opportunity Site when the Local Plan was reviewed.

No comments or objections to this were received at any stage of the Local Plan process, which was subject to significant consultation, and the designation was confirmed when the Plan was adopted in December 2008.

The Local Plan is a Statutory Document, and it is not possible to make changes to it without going through a formal process. This will not now take place until the Review of the 2008 Plan which will not commence until 2011 at the earliest. At that stage, the Community would be able to make representations about whether the site should be designated, but there is no such option at present.

Of course, should a planning application be submitted in the interim, you would be fully entitled to submit comments on the proposals being put forward."



Transportation Service
Keith Stratton
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Our Ref: GRH/KRS/LB – 665825/667168
Your Ref:



5 October 2009

Joint Secretary
Cullen & Deskford Community Council
Norwood
11 Seafield Place
Cullen
Banffshire
AB56 4TE

For the attention of Mrs Zillah J Jamieson

Dear Sirs

CULLEN HARBOUR BEACON

Thank you for your letter of 1 September 2009 regarding replacement of the harbour beacon.

To answer the specific points you raised:-

- The actual quote from Varis was for £9500, however this was limited until 20 October 2009, and does not include the painting and contingencies.
- As agreed at the meeting of Cullen, Findochty & Portknockie Harbours Advisory Committee Meeting on 7 July 2009, I confirm that if it is decided that the beacon is to be retained, the Council will contribute £3,000 (previously set aside for demolition and disposal) towards the overall cost. This was agreed after a discussion about the need to replace the beacon at a time when the Council as a whole were in the difficult position of making £8m of savings.



ISO 9001 : 2008
FS 33734

05 October 2009

Joint Secretary
Cullen & Deskford Community Council

- Historic Scotland have not been involved in the funding of the works since that is not part of their role. Nevertheless, they have said that they would not oppose erecting a replica in the location of the present beacon.
- Historic Scotland do not have any funding which they could contribute to the overall cost.
- As discussed with Malcolm Watt on 17 July 2009, the Council would not be able to pay for the works in advance since the harbour maintenance budget has been static since 1995, resulting in an effective cut in expenditure, due to the cumulative effect of inflation each year since then. As a result, the budget is now extremely limited and there is already an extensive backlog of reserve works.

The present condition of the beacon gives rise to Health and Safety concerns for the Council. It is an unacceptable risk which could impact on harbour users – a risk for which the Council alone is liable. For this reason it is vital that the structure is either replaced or removed as quickly as possible.

An option which would satisfy this requirement, yet allow the Community Council adequate time to gather funding for a replacement, would be for the existing structure to be removed forthwith, using the Council funding allocated for this purpose.

In return for Community Council support for this measure, the Council would be asked to agree that the erection of a suitable replacement would be acceptable on the same site at a time when Community Council funds are available.

I hope the Community Council find this proposal agreeable and look forward to hearing from you after it has been considered.

Yours faithfully



pp **Keith Stratton**
SENIOR ENGINEER (ROADS)



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Former Filling Station Site, Cullen

Ashley Mowat's e-mail (26th September 2009):

"I could hardly believe it when I heard today of the above application to erect yet another two storey dwelling house on plot 9 former Filling Station site on Seafield Road, Cullen. I need hardly remind you of the unanimous opposition to the current development with over 70 letters of opposition with common themes of concern for road safety, and preservation of a safe route to school; as well as the total opposition of the Community Council.

Although the democratic procedures were followed you must all have been aware of the strong local feeling that this was a token exercise as there was little discussion of the merits or weaknesses of the objections raised; and the heavily quoted Council expert, who was not present (as you correctly pointed out Stewart), had the final say without any explanations being offered. This was seen as an unfortunate omission. The fact that Gary Coull's objection did not find a seconder meant that no vote was taken at the Planning Committee meeting, and this still riles a large section of our community.

Ron, you must also have been very conscious of the disappointment (and anger from some) that, although present, you did not exercise your right to speak in support of the local community at the meeting. The new application, against the background of the previous application, will do nothing to allay the jaundiced view some locals now have of the local democratic process.

I fully accept that as Councillors you cannot express a public view on this fresh application, and that both Stewart and Gary respectively Chair and sit on the Planning committee, but I am concerned that this fresh application should have been submitted during the interval between the outgoing and reforming local community council. The jaundiced view is that the timing may not be coincidental.

The new council members are now identified for Cullen and Deskford but we have not, of course, appointed the new Chair or Secretary. I have therefore taken upon myself as the outgoing Chair to alert you all to the above application and to request that you support my request that the newly formed Cullen and Deskford Committee be given the opportunity to discuss this application at it's first meeting. The date for this has yet to be decided by Moray Council, but it is possible that the date will fall outwith the statutory 21 days. The views of the new local community council cannot be ascertained till then, but I'm sure you will agree that it is likely there will be strong opposition to this new application.

This community needs your support to make sure that the new Cullen and Deskford Community Council is not by-passed because of the timing of this application."

Councillor Cree's initial response (28th September 2009):

"Firstly, thank you very much for bringing this to my attention. The timing of this application is undoubtedly unfortunate although I suspect it was submitted some time ago as there is normally an administrative delay in registering and dealing with applications that would make it difficult to predict when any application would be notified.

Notwithstanding that, I am concerned, from what you say, that this may be an example of 'enhancing' a planning permission post approval – something I have spoken out about elsewhere and I will make enquiries today to determine the position."

Councillor Cree's second e-mail (28th September 2009):

"This planning application has not yet been allocated; I have asked that a note be placed on the file such that I will be notified when this happens. I will thereafter seek to ensure that the application comes before committee on the basis that the original application did so and any attempt to increase the number of dwellings must be approved in the same manner. Just had an email from the officer who is likely to be assigned the application. I have asked for confirmation that the matter will be referred to Committee for a decision. Will advise response."

Cllr Shepherd's response (28th September 2009):

".....I am quite shocked at the news and can confirm that I will be seeking a meeting when an officer is appointed."