

**Cullen & Deskford Community Council
Meeting on Thursday 26th November 2009
7.30 p.m. in Memorial Hall, Cullen Town Hall**

M I N U T E S

Present: Professor Ashley Mowat (Chair)
Mrs Zillah Jamieson (Secretary)
Miss Emma Hay
Mr Jim Mackay
Miss Sasha Reid
Mr John Robertson
Miss Tabitha Smith

In Attendance: Cllr Stewart Cree
Inspector Derek Spark

Apologies: Mrs Joyce Henderson
Mr Malcolm Watt
Cllr Gary Coull
Cllr Ron Shepherd
Sgt Gavin Farquhar

1. Welcome and Apologies

The Chair welcomed all attendees to the 2nd meeting of the Cullen & Deskford Community Council (new term).

Apologies were noted as above.

2. Minutes of Previous Meeting (8th October 2009)

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

3. Reports

3.1 Police:

Police: Inspector Spark confirmed the transfers of Sergeant Harris and PC Iain Dormand; they are being replaced respectively by Sergeant Gavin Farquhar and PC Richard Russell. He also indicated that there should be 2 Community Beat Officers, but currently there is only one in place (PC Mairi Page). Inspector Spark indicated that there were no significant policing issues in the area.

Mobile police surgery/use of police office: Mobile police surgeries have been arranged in Cullen on the following dates:-

- Thursday 10th December 2009 - Cullen Square - 19.00 - 20.15
- Tuesday 22nd December 2009 - Cullen Square - 13.15 - 14.15.

These dates will be promoted in the usual way.

Action: Zillah Jamieson/John Robertson

Pedestrian Island, Seafield Street: The Secretary confirmed having received a response from Elaine Penny (19th November 2009), as follows: "Thank you for your response below. We have heard and listened to the views of the Community Council and they were taken into account when reaching our decision. We still believe that our proposed course of action is the best solution for all concerned and that was explained at the site meeting we had with you on 22nd June this year. We therefore intend to proceed with the work as planned. I thank the Community Council for their interest in this matter."

It was agreed that an e-mail should be sent to Elaine Penny in response - respecting her professional judgement, but indicating the continuing concerns of the community and expressing the hope that no accidents will result.

ACTION: Zillah Jamieson

Cllr Cree indicated that he had not received a response from Elaine Penny regarding the PV squared calculation.

Neighbourhood Watch: The Chair confirmed that Bob Phimister will provide the historical list of street co-ordinators; Jim Mackay confirmed his continuing interest in becoming a street co-ordinator.

ACTION: Ashley Mowat

Neighbourhood Watch Deskford Scheme: The Secretary undertook to provide John Robertson with the appropriate contact details, copy to Inspector Spark.

ACTION: Zillah Jamieson/John Robertson

3.2 Local Councillors

All relevant items were contained within the agenda.

3.3 Treasurer

Treasurer's Update: In the Treasurer's absence, the Secretary confirmed the following details:-

Bank Balance: £3,749.73

Ring-fenced funds:

- Craft Fayre: £291.57 (awaiting Hall bill)
- Lighthouse: £1,200 (including £500 contribution from Community Council)
- Concert (September): £296 (awaiting Hall bill)
- Neighbourhood Watch: £252.51

Leaving a credit of £1,709.65 (including £119.60 credit from calendar sales).

Moray Council Grant: The Secretary reported having completed the relevant paperwork to secure the Moray Council funding for the remainder of the financial year (amounting to £292.50 for 6 months). The processing of the grant may be delayed awaiting a decision as to whether the grant paid out should cover either 6 or 12 months.

Textile Recycling: no update available.

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

Contribution to website: outstanding action point.

Contribution to Cullen District Calendar: as a result of visits to retail outlets (31st October 2009), a further reprint of 40 calendars was ordered. Provided all calendars sell, total sales would equal £883.55, leaving a surplus of £363.55. Sales will be closely monitored over the next couple of weeks to ensure that all stocks are sold.

ACTION: Zillah Jamieson

Contribution to Cullen Beacon campaign: £500 donation to be given to campaign.

3.4 Funding Update/Incoming Information

Lloyds TSB Foundation for Scotland: Lloyds TSB Foundation for Scotland is suspending its grant-making activities for the foreseeable future. The Board of Trustees has taken this difficult decision as their income comes from a share of the profits of Lloyds Banking Group and it has predicted that it will not make a profit this year. That effectively wipes out almost all the Foundation's income. The Foundation will honour all existing funding agreements, including multi-year awards, and will be making final awards in December as planned. However, they are currently unable to accept applications for any further awards and recognise that this decision has serious implications for charities across Scotland from the beginning of 2010.

3.5 Events Diary

Events Diary attached as Appendix 1.

Great Wall of China Walk: The Secretary reported that the event took place on Wednesday 18th November 2009 in Cullen Town Hall. The turnout was very disappointing, but those present enjoyed a very entertaining and informative presentation.

4. Cullen Road Bridge/Cullen Burn Footbridge

Cullen Road Bridge: The Chair and Secretary confirmed that they had been in constant communication with Cllr Cree and Gordon Holland (Roads Department) during the very unfortunate events which resulted in the road closure and significant hardship to both local businesses and commuters.

Whilst several positives have come out of this series of events, it is absolutely critical that certain issues are addressed more appropriately in the future should the road require to be closed again. The positives include:-

- evidence of a community pulling together in adversity
- the efforts of Moray Council's Road Department and the engineers of Morrison Construction on getting at least partial opening of the A98 road bridge well ahead of the original estimate (the Chair confirmed having sent an e-mail of thanks to Gordon Holland - 22nd November 2009 - acknowledged by Gordon Holland 23rd November 2009)
- the sympathetic coverage in Aberdeen Journals publications and on STV
- the welcome efforts of Forres, Buckie and Keith Rotary to support local businesses.

The future issues to be addressed include:-

- better communication between the Local Councillors and the community/ Community Council both at the outset and on an on-going basis - so that appropriate measures can be taken by businesses/commuters and so that rumours are avoided
- more informative and accurate road signs in the event of any similar emergency; the initial road signs may have added to the significant financial damage to local businesses; similarly traffic information on the media (TV and radio) must be accurate
- the huge importance of the **only** dedicated foot crossing of the Cullen Burn provided by the badly neglected and dangerous footbridge, ironically and suddenly becoming the only direct access for the public, schoolchildren and businesses requiring to travel west or east of the Burn; the large numbers of vehicles parked overnight in the Links car park and on Cullen seafront were ample evidence of the importance of this badly dilapidated structure, which surely now must be repaired or replaced by Moray Council
- more detailed consideration to be given to the implications on the manoeuvrability of the Hill of Maud road.

Following receipt of a letter from a local business, the Secretary asked whether, in light of the fact that the initial road signs may have added to the financial damage to local businesses, Moray Council would be considering recompense of some description. Cllr Cree indicated that this was a legal issue on which he was not empowered to pass comment. The Community Council members felt that the Community Council had done a lot to support the businesses through effecting communication and working hard to have the signs replaced, and it would be wrong for them to pass comment on a potentially legal issue. The Secretary to respond accordingly.

ACTION: Zillah Jamieson

Cullen Burn Footbridge: The Secretary reported that she and the Chair had met on-site with Ken Kennedy, Lands and Parks Manager (26th October 2009); Ken agreed the need for the bridge to be repaired, and undertook to arrange a survey report which would not only highlight the repairs required, but also indicate potential cost. It was unclear at the time of the meeting whether the responsibility for the bridge lay with the Moray Council or the Seafield Estate. The Secretary wrote to Lyn Cameron (1st November 2009) to advise of the above and undertook to update her when further information became available.

The Secretary reported on a telephone conversation with Ken Kennedy (10th November 2009). Ken indicated that the engineers were erecting temporary parawebbing to stop people falling over the side of the bridge. The bridge decking/structure required to be continually assessed, but it was considered safe for the foreseeable future. The Secretary expressed dismay that there appeared to be conflicting information given that the footbridge was closed - albeit for a short time - on the previous Friday on the grounds that it was unsafe. Also, on Monday 9th November, engineers seemed to imply differently when speaking with the Chair. The Secretary also used the phrase "prevention better than cure" - and temporary measures are all very well, but surely a permanent repair and/or replacement should be the preferred solution at this time. Ken undertook to ask Roads Department for a costing for this.

He also undertook to contact John Black, Head of Estates (01343 543451) to establish ownership of the bridge. Depending on what records Moray Council holds, this process may take some time. It is very unfortunate that the state of the footbridge has arisen at the same time as the works required on the road bridge; however, we cannot lose sight of the footbridge at this time given the possibility of a potential disaster there - especially given the increased amount of pedestrian traffic currently.

Gordon Holland, Head of Roads Department, wrote to the Chair (11th November 2009) as follows:-

"Further to our telephone conversation yesterday, the Senior Engineer for Bridges has now inspected the footbridge again together with his structural inspector. We are all aware of the dilapidated appearance of the footbridge - it has been like that for many years as you know. The main concern for the engineers was not the crack that you indicated to me, as they have been aware of that and they are satisfied that it will not lead to further problems in the short term. The bridge parapet has been damaged in the past and that was the reason for closing it previously (not for other structural reasons as some people may have thought). Clearly the parapet, which in this case also forms the handrail for pedestrians and prevents them falling off the bridge sideways, is vital. This has had a temporary repair with red plastic panels in place. However, for added safety, the engineer has requested that plastic netting be installed along the length of the bridge (netting is not the proper name - I don't know what it is called, but it is substantial and is often used in circumstances like this). He is satisfied that the structure is satisfactory for the current use".

The Chair responded to this e-mail (11th November) as follows:-

"I am most appreciative for your efforts and grateful for all that is being done, and also for taking the time to contact me. The short-term safety of the footbridge seems assured and the short-term safety measures are a huge improvement. The car parking on both sides of the burn is now well lit at night and the area has been commendably secured. Hopefully the storms forecast for the end of this week won't be too severe.

I think the importance of the footbridge to the communities of Cullen and Portknockie has been brought into sharp focus by events at the A98 road bridge, and our efforts will have to be directed at getting some long-term solution to maintaining this crossing. There is, and probably never will be, a pavement on the A98 bridge which is not an easy bridge for traffic use.

I am aware of the historic ownership dispute between Moray Council and Seafield Estate and would welcome advice on how this problem might be solved for the benefit of our communities. I would be happy to make a personal approach to the Earl if you and your colleagues thought this would be constructive. Please advise."

Gordon Holland indicated (11th November 2009) that he had passed the Chair's e-mail to Neil Fotheringham, Senior Bridges Engineer, for his consideration. A response is awaited.

Cllr Cree indicated that he had been advised that the bridge belongs to Seafield Estate, but that Cllr Shepherd was pursuing the matter. The Secretary undertook to obtain an update from Cllr Shepherd, particularly in relation to the ownership of the bridge, and to contact Ken Kennedy to establish his progress on the matter. It was suggested that we should invite Ian Douglas to consider contributing to the repair/maintenance of the footbridge in the light of the requirements for completion of the Moray Way.

ACTION: Ashley Mowat/Zillah Jamieson

5. Moray Council - Budget Reductions - Consultation

The Chair attended a hastily called meeting (10th November 2009) in Buckie of the Cullen and Deskford, Portknockie, Findochty and Buckie Community Councils, together with the Buckie Forum. The meeting gave unanimous support for the proposal that the deadline date for responses be put back to the 15th January 2010, that the proposed district meeting should be chaired by the Finance Director, and that the meeting should be truly public and not simply invited participants following a proscribed meeting structure.

John Ferguson (Community Planning and Development Manager, Moray Council) confirmed that an open meeting would take place in Buckie Town House on 9th December 2009; the meeting will be chaired by the Chief Executive, Moray Council; senior officers will be present; elected members will be present, with a "listening brief"; two short presentations will be given by the Chief Executive and the Chief Financial Officer, followed by a 45 minutes Q & A session and a workshop session. He confirmed that there would not be an extension to the deadline.

Cllr Cree confirmed that the enormity of savings to be made required major changes from the big budget holders. Cllr Cree urged the community to feed in information and ideas, including things not included in the paperwork (e.g. transfer of services to communities, transfer of assets to communities). The full impact on the Cullen & Deskford area is submerged in the general statements, but it does appear that those most disadvantaged in our community, education (including libraries) and the roads will be targeted.

Following significant discussion, it was agreed that the Chair, the Secretary, John Robertson and Sasha Reid would attend the area meeting on 9th December in the Town House, Buckie (starting time to be confirmed), after which a Community Council response would be drafted by the Chair and Secretary for agreement by all members (to be submitted by 15th December 2009). The Secretary undertook to obtain a copy of the Moray Council accounts. In addition, the consultation documentation would be placed in the Library and Post Office - and the area meeting on 9th December publicised.

ACTION: Ashley Mowat/Zillah Jamieson

6. Young Members

The Chair emphasised the importance of Young Members on the Community Council and urged them to come forward with ideas at future meetings.

ACTION: Young Members

7. Community Plan

7.1 Harbour Committee Report:

The Chair confirmed that a list of requirements for the 3 harbours (Cullen, Portknockie and Findochty) had been submitted to the Moray Council 6 weeks previously; a response is still awaited.

ACTION: Malcolm Watt

7.2 Town Hall Report:

Cllr Cree wrote to Nick Goodchild (9th October 2009 - copied to the Secretary) requesting an update on how and when the sum set aside for some urgent and necessary repairs in the current financial year would be spent. He also requested if anything was being proposed to secure the future of this valuable resource. Cllr Cree undertook to follow up the absence of a response to date.

ACTION: Cllr Cree

Town Hall Flag: The Secretary confirmed having gained the Ross Herald's approval of the proposed design (1st November 2009). An update will be available for the next meeting.

ACTION: Joyce Henderson

Fire/Safety Report: A response is awaited.

Property Review: no progress.

Reading Room: no progress.

7.3 Cullen Common Good Fund

Nothing further to report at this time.

7.4 The Lawtie Trust

The Chair confirmed having received the following response (20th November 2009) from Andrew Jackson, NHS Grampian Legal Adviser: "Ewan has asked me to respond to you re your query as to whether there was a statutory requirement for the NHS to provide hospices or respite centres. Whilst there is a duty on NHS Boards to provide accommodation as is necessary to meet all reasonable requirements, this is a duty written in very wide terms and is **not** a mandatory requirement to provide hospices or respite centres. Before the Board decided to accept any offer of funds for a hospice or respite centre, it would of course have to be sure that there was appropriate future revenue funding and staffing etc in place to ensure the future viability of the project."

As a result of this communication, the Chair wrote to Moray Council (Rhona Gunn - 23rd November 2009) as follows:-

"You will recall that the suggestions for possible use of the asset intended for the "poor or needy" of Cullen and Lintmill included a possible respite centre or hospice provision (or a combination). I have just had advice from Grampian Health Board officials that they do not have a legal requirement to provide either so it would appear that these possibilities might still be open for discussion.

There has also been notice in the local press that some of the land might be used for allotments, although Tom and I recall from our interview with you that this suggestion was also a non-starter. We would welcome your further comments please as the press statements have apparently had the support of our local Councillor and Trustee, Ron Shepherd." The Chair requested a meeting with the Trustees. A response is awaited. Cllr Cree undertook to follow up on this request with Rhona Gunn; also to establish the reason why the fund is currently being reviewed by the Moray Council.

ACTION: Cllr Cree

Press coverage (Banffshire Advertiser 27th October 2009 + P & J 21st October 2009) indicated that the land owned by the Lawtie Trust was to be scrutinised further in order to ascertain its suitability for allotments. Cllr Shepherd was quoted as saying that "The Trust are bound to seek highest income possible to support Trust aims. The site is currently being advertised for disposal." It is understood that the advertisement closing date has now passed. The Allotment Group have not been advised of the outcome of their application.

ACTION: Ashley Mowat/Jim Mackay

7.5 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 - to include sustainable lighting if possible. The positioning of an interpretation panel based on listed structure and the positioning of bus shelter are to be discussed further with the Heritage Group.

ACTION: Ashley Mowat/Zillah Jamieson

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; 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 £113.88 for hall) raised for Cullen Primary funds
31st October	Christmas Fair - Christmas Lights Group (Town Hall) - total of £291.57 less cost of hall to be donated to Multiple Sclerosis; Community Council provided teas
28th November	Musical event - Whiskers Galore - Bowling Club (to incorporate the bottle competition outstanding from the Burns Supper - all funds to the RNLI); catering being provided by Light Bites; there will be no charge by the Bowling Club for either the use of the hall or the kitchen; Earl of Seafield invited, but unfortunately he is not available
30th November	Beacon on Bin Hill/Bonfire at Links Car Park: event cancelled (at request of Moray Council) due to the unexpected demands on the Links Car Park as a result of the A98 road closure
5th December	Christmas Lights Switch-on - Christmas Lights Group

Following discussion, it was agreed that there should be an Events Committee in 2010, and that the Burns Celebration in January should be repeated.

ACTION: All

7.7 Cullen District Calendar

See reference under Section 4.3.

ACTION: Ashley Mowat/Zillah Jamieson

7.8 Cullen Website

Funding applications are currently being investigated.

The Secretary confirmed having contacted the supplier (8th October 2009) to indicate a delay in proceedings. Neil confirmed that he would be able to carry out the work when we are ready to progress - at the same price as originally quoted.

ACTION: Zillah Jamieson

7.9 Cullen Community Garden

Nothing further to report - refer to next item.

ACTION: Ashley Mowat

7.10 Cullen Dirt Bicycle Track

The Chair confirmed having received a letter from a number of children in Cullen re the possibility of a dirt bicycle track at the Cullen Community Garden (20th October 2009) - attached as Appendix 2. The Chair responded (20th October) - attached as Appendix 3. Following dialogue in various directions, it was established that the Cullen Community Projects Committee (Trustees of the Community Garden), Cllrs Cree and Shepherd, and Grampian Police (via PC Mairi Page, Community Beat Officer) were keen to support this very worthwhile initiative for the youngsters in the community. PC Mairi Page had identified a potential source of funding, and expressed enthusiasm for submitting an application on our behalf. A meeting of all interested parties was to be arranged - details awaited.

ACTION: Ashley Mowat

7.11 Criminal Justice Services Projects

The following list of projects are 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; Mike has indicated that they are struggling with the clearing of the Community Garden (due to other work coming in), but have got half done and started trying to make paths through the thistles; he intends to carry out further work, but may not get it as clear as he had hoped
- Crannoch Hill path: see note 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.

It was agreed that the Secretary should write to Mike McRitchie to thank him for the unit's efforts on the above projects, and to establish their status over the winter and plans for next year.

ACTION: Zillah Jamieson

Crannoch Hill Path: A response is awaited from Gordon Holland. It was agreed that we should invite Ian Douglas to consider including this small section as an important part of the Moray Way (as well as contributing to the repair/maintenance of the footbridge mentioned previously). Mention should also be made of the offer from Arthur Gauld to re-establish another part of the walk.

ACTION: Ashley Mowat/Zillah Jamieson

Northern Community Justice Authority: The NCJA comprises elected members. Its role is to plan, co-ordinate, monitor and report on the delivery of offender services both in the community and within the prison service. A very important part of Criminal Justice Social Work Service is based around the delivery of Community Service and unpaid work as part of a Probation Order. These services are always keen to have new ideas or suggestions for projects within their local communities that will benefit the communities and the individuals living therein. Their website is www.northerncja.org.uk.

8. Planning

8.1 Cullen Harbour Lighthouse

The Secretary confirmed having written to Gordon Holland (copied to Keith Stratton, Cllrs Cree and Shepherd - 9th October 2009) as follows:-

"In Keith Stratton's absence, I am writing to you on behalf of the Cullen & Deskford Community Council in response to Keith's letter of 5th October 2009. We are keen to expedite matters, but require further clarification on a number of points.

Firstly, the cost of a replacement beacon. As you know, fundraising activity is already well in hand; for this to proceed openly and transparently, it is absolutely vital that we have clearly defined costs for the replacement beacon, including:-

- cost of demolition
- cost of replacement structure - what is the technical specification, including erection, painting etc.
- validity of quotation: we were very concerned to read that the current quote is limited until 20th October; we are not aware of this date having been mentioned before; we would require confirmation that the costs outlined as above are valid for at least another 3/4 months.

You will appreciate 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.

Secondly, we were also very concerned regarding the second bullet point which contained the phrase "if it is decided that the beacon is to be retained". Our understanding is that the beacon will be retained/replaced - hence the current very active fundraising activities. We would request confirmation that the beacon will be replaced and that £3,000 of Moray Council funds has been set aside to contribute to the overall cost. If you are unable to give this confirmation now, could you please clarify what the process is to get to this confirmation, and the timescale involved (the comments in the second last paragraph of Keith Stratton's letter also refer in this regard).

We very much appreciate the time and effort being spent by Keith and yourself in progressing this matter, and we look forward to your response and to bringing this initiative to a successful and attractive conclusion."

Cllr Cree also wrote to Keith Stratton (8th October 2009 - copied to the Secretary) emphasising the need for an accurate and consistent cost estimate, together with clarification on the specification of works to be undertaken - such that there is a sound base for fundraising.

A response is awaited.

The Secretary confirmed having sent a thank-you letter to Stephen Findlay for his generous contribution of £200 to the fundraising campaign (30th October 2009).

The Chair is progressing the consolidation of funds from all sources into a single Lighthouse Restoration fund managed by the Community Council Treasurer, and with the help and co-operation of David Rush, fishing tackle shop proprietor, a "Beaconometer" designed and supplied by the younger members of the Community Council will be displayed in his shop which will indicate progress of the fund raising effort.

ACTION: Ashley Mowat/Zillah Jamieson

8.2 Former Filling Station Site, Cullen

Following consultation with members of the Community Council, the Secretary wrote a letter of objection to the latest planning application for this site (30th October 2009) - attached as Appendix 4.

This was acknowledged by the Planning Department (30th October 2009), as follows:- "Your attachment has come through and I can confirm that this has been received in time and will be taken into consideration as part of the determination of the above planning application. We now regularly receive e-mail objections through the planning portal or direct from the public, which are afforded the same weight as any paper objection.

For your info, the planning history of this site will be a material consideration in the determination of this application, although no view has been reached on the current application until all objections and consultations responses have been submitted."

A more formal acknowledgement was also received (2nd November 2009).

The Moray Council Planning website contained a Committee Report and a Recommendation (dated 17th November 2009). Key parts of the Committee Report included:-

".....the proposal fails to comply with local plan policies, as it would result in a development of a density and character inappropriate to the surrounding area." Also, " The Transportation Section has objected to the application on the grounds that the proposed housing plot will have an impact on the pedestrian/cycle network in the area." Also, "..... refusal is recommended."

The members were advised that a decision had been made on the day of the meeting - refusal of the application for the following reasons: the proposal is contrary to the Moray Local Plan 2008 policies; the proposal would increase the density of a residential development already at its limit in terms of allowing sufficient amenity space and layout. The proposed unit would be detrimental to the streetscape on Glebe Park Crescent as it would break the established building line by being close to the heel of the pavement where all other houses are set back. In addition, it would result in a development of a density and character inappropriate to the surrounding area. The position of the proposed unit would curtail pedestrian and vehicular visibility thus having an adverse impact on Judy's Lane footpath which is part of the Safer Routes to School network.

8.3 Expansion of Cullen

It was noted (Press & Journal 23rd November 2009) that 30 homes may be built on the 10-acre site on the eastern edge of Cullen at Seafield Place in the event that councillors support proposals to extend the area's development plan. The proposals will go out for consultation if members of the planning and regulatory committee back the plans on 24th November. The brief states that the design of the 30 homes would be key because of their location - requiring the use of materials and palette of colours which respect traditional local finishes and assist the houses to blend sensitively into the setting.

All members welcomed the development on the basis that it would contribute to maintaining the vibrancy of the town and supporting local businesses; with few details available, all members were agreed that the design of the 30 homes must be sympathetic to the scenic and historic feel of a Royal Burgh, particularly given their visibility. The Secretary undertook to provide a press comment to the Banffshire Advertiser on these lines.

ACTION: Zillah Jamieson

8.4 Weekly List

The Weekly List of 16th October listed the following applications:-

- Retrospective listed building consent for construction of en-suite in existing bedroom at 30 Castle Terrace, Cullen
- Erect new dwellinghouse and associated works at Pinview, Redmoss, Drybridge.

The Weekly List of 24th November listed the following applications:-

- Proposed extension at Duallin, Deskford
- Replace flat roof at 5 Seafield Place, Cullen.

These were not deemed to be of community interest.

9. Points for Noting/Information

9.1 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.

9.2 Correspondence

Bus Shelter North Side Castle Terrace Seatown: The Chair confirmed that discussions are still in hand.

9.3 Publicity

Details of the elected Community Councillors appeared in the Banffshire Advertiser (6th October 2009).

A press article was submitted to the Banffshire Advertiser, Banffshire Journal and Northern Scot outlining the Community Council's current key activities and highlighting the 2nd round of elections. The Banffshire Advertiser published the article in the 24th November edition (which also included significant coverage of the A98 road closure).

9.4 Suggestion Boxes

Nothing to report. John Robertson undertook to check the suggestions boxes in Deskford in future.

9.5 Confirmation of other actions taken

Dental Facilities in New Medical Centre: The Secretary confirmed having received a response from the Cullen Medical Centre (13th October 2009) indicating that "Unfortunately, whilst we would have wished to include a wider range of services in the new premises, funding from NHS Grampian has not allowed us to include any additional services in the new build. We greatly appreciate the support and the interest shown by the Community Council, and I should be grateful if you could pass our thanks on to your members."

9.6 Community Council Pilot Project/Elections

Pilot Funding: The Secretary confirmed having provided the necessary report to the Moray Council CLO (Tracey Rae) on funds expended (total of £98 on leaflet). Tracey Rae confirmed that pilot money should be used to highlight vacant seats in the 2nd round of elections (see below). The pilot project is being evaluated by the Scottish Government, via a grant feedback form (in questionnaire format - and to be completed by the members as a group) and a questionnaire to the candidates who stood for the community council elections. Action will be required in January 2010.

2nd Round of Elections: The 2nd round of nominations for election to Community Councils (for those with vacancies and those that are un-established) commenced on Friday 13th November and nominations will be open until 4pm on Friday 18th December. Cullen & Deskford Community Council has 3 vacancies. Where the Community Council is sub-divided (as we are), for the 2nd round and in line with the Scheme of Establishment, the vacancies are open to all persons within the Community Council area and not just the sub-division that has vacancies. Copies of nominations forms will be made available at Access Points and are also available to download online from www.moray.gov.uk/communitycouncils. It was agreed that remaining leaflets from the 1st round of elections should be displayed in the Library and the Post Office. These elections have been mentioned in a press article submitted to the Banffshire Advertiser, Banffshire Journal and Northern Scot.

LEADER Funding: Alastair Kennedy advised the Secretary (9th October 2009) that the funding is to be used for laptops and a website. Both the Chair and Secretary expressed their disappointment to Alastair re this outcome and requested that perhaps the Cullen & Deskford "portion" of the LEADER funding could be used for activities specific to our area. Unfortunately, it was a very time constrained application and needed to tick a large amount of boxes as LEADER funding is very prescriptive. Alastair indicated that there is no way funding would be made available to use for further promotional avenues as there is a need to commit to something precise with absolutely no grey areas.

LEADER funding would not have allowed for loads of different projects; the application had to be done as a complete package. Details of progress are awaited from Alastair.

9.7 Members' Handbook

Copies have been distributed to those members not present at the October meeting.

9.8 Road and Traffic Problems

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. The Secretary confirmed having spoken with Gordon Cowie (Roads Engineering - 01343 562520) on Monday 23rd November 2009; Gordon indicated that the responsibility lies with Scottish Water; according to his information, the work was delayed due to the problems experienced in obtaining CCTV cameras to look down the drainage channel. The drainage problem has been established as lying out in the street close to the pedestrian island. Moray Council has now given permission for the erection of traffic lights in the main road to enable the reparatory work to take place. Gordon has been assured that the work will take place during the course of this week (unfortunately, that has been the position for the last 3/4 weeks). Any further phone calls should be directed to Scottish Water; however, Gordon undertook to advise the Secretary of any updates.

In response to the Secretary's enquiry, Gordon indicated that the lane is not adopted by Moray Council, and he is therefore unable to state who owns it and who is responsible for the resurfacing of the lane to make it more passable.

ACTION: Zillah Jamieson

9.9 Consultations

Grampian Health Plan Consultation: The 3-year plan will cover the period April 2010 to March 2013; its aim is to set out NHS Grampian's agreed direction, challenges and key priorities for improving health. They are holding a series of local meetings to gauge public response to the proposed priorities for improvement. The Elgin meeting was scheduled for Tuesday 17th November. An electronic version of the consultation paper and feedback questionnaire is also accessible at www.nhsgrampian.org/healthfit (with the consultation running until 11th December 2009). The papers were passed to the Chair for his consideration.

Housing in the Countryside: Supplementary Planning Guidance: Moray Council has approved the supplementary planning guidance for consultation, with the 6-week consultation scheduled to finish on 24th December 2009. The purpose of the proposed guidance is to provide advice on what will be required when submitting a planning application for housing in the countryside. The proposed guidance expands on the relevant Local Plan policies. The documentation is available to view at local libraries, Council access points, and on the Council's website. The papers were passed to John Robertson for his consideration.

10. A.O.C.B.

10.1 Certificates of Achievement

Following discussion, it was agreed that we should progress certificates for:-

Stevie Findlay (Pet Cemetery and charity work)
Lauren McGregor (Dancing)
Adam Newlands (Bagpipng).

Following a suggestion, it was agreed to investigate whether we are empowered to confer the Freedom of Cullen.

ACTION: Zillah Jamieson

10.2 New Constitution/Standing Orders

Approval was given to the template Constitution and Standing Orders circulated with the Chair's Brief. The Chair and Secretary to action and submit to Moray Council.

ACTION: Ashley Mowat/Zillah Jamieson

10.3 Committees/Subgroups:

There is an outstanding action from the Minutes of the 20th August 2009 meeting regarding the protocol involved in setting up sub-groups of the Community Council, as follows:-

- A sub-group of a Community Council should be called a Committee; Councils have Committees, Committees have Sub-Committees, and so on.
- A Community Council can set up a committee with such a remit and structure as it wishes. To some extent this will depend on both the prescriptions in the Scheme for the Establishment of Community Councils (as published by the local authority) and on the Community Council's constitution. If either of these documents specify a particular structure or framework for Community Council Committees, it must be followed.
- It is necessary for any Committee to have a Convener. A Committee might co-opt non Community Councillors to serve on it, but they should not have voting rights on the Committee. It is necessary for the elected Community Councillors to be the only people on any Community Council structure with the right to decide on all business.
- The setting up of a Committee, including specifics on its remit, composition, and whether it will be delegated any decision making authority must be done at a full Community Council meeting. The minute of the meeting should give clear details on these points.
- It is also important for the Community Council to specify the manner in which the Committee will report back to the Community Council on its work.
- Committee meetings should be held in public in the same way as Community Council meetings must be.

At the time, it was agreed that we write formally to relevant groups e.g. the Town Hall Committee, requesting the names of committee members and office bearers, and inviting representatives to attend Community Council meetings to provide an update on progress.

Given the criticality of the Town Hall to the community, the Chair undertook to approach the Town Hall Committee's Chair.

ACTION: Ashley Mowat

10.4 11th Moray Great Bike Ride

It was agreed to support this initiative - a Moray Bike Ride with stages starting in a few different towns so that the event spreads further afield than just Elgin areas, including a Street Sports Festival at the mid-point of the cycle ride. Support would include e.g. marshals to mark the route, the set up of registration and refreshment posts. Malcolm Watt had indicated to the Secretary that he would pass the details to the Rotary Club of Buckie.

ACTION: Zillah Jamieson

10.5 Moray Way Association

It was agreed to support this initiative - a circular long distance route of about 200 miles around the boundaries of Moray by combining three existing paths - the Dava Way, the Moray Coast Trail and the Speyside Way. Earlier discussion on the Crannoch Path refers.

ACTION: Zillah Jamieson

10.6 5-a-side Goal Posts for Deskford Community Centre

Following discussion, John Robertson undertook to investigate the cost of this initiative - with all members in agreement that this was a project worthy of support.

ACTION: John Robertson

10.7 Cullen Christmas Party for Children

Following receipt of a letter from the Town Hall Committee requesting a contribution to this initiative, it was agreed to donate £60 to defray the costs of the hall rental.

ACTION: Ashley Mowat

11. Date, time and place of next meeting

The next meeting was confirmed as Thursday 28th January 2010 in the Memorial Hall, Cullen Town Hall at 7 p.m. It was also agreed to hold the February and March meetings in Cullen.

APPENDIX 1**EVENTS DIARY**

Date	Event	Location
28th November	Whiskers Galore	Cullen Bowling and Tennis Club
30th November	St Andrews Celebration (provisional)	Cullen Golf Club
1st December	Cullen Pensioners Christmas Party	Cullen Town Hall
3rd December	Phileas P. Souper (Family Comedy - North East Arts Touring Company)	Deskford Community Centre
5th December	Christmas Lights Switch-On	Cullen Town Hall
9th December	Santa coming to Cullen/Late Night Shopping	
19th December	Childrens Christmas Party (18.30)	Deskford Jubilee Hall
16th January 2010	Burns Supper (Deskford & District Community Association)	Deskford Community Centre

APPENDIX 2

**Rockhaven
31 Reidhaven Street
CULLEN
AB56 4SY**

20 October 2009

Dear Cullen Community Council

I, on behalf of the kids in Cullen would like to ask, if you could champion our idea.

Our idea is to create a dirt bicycle track up at the site of the old quarry beside the school. We understand that previously it was going to be a garden but for some reason this has failed to be completed.

Due to the success of the Buckie skate park, it would be good if Cullen could get something maybe not as elaborate as that. I'm sure if we could get a similar dirt track facility in Cullen this would give the kids somewhere to go and something to do other than standing on street corners.

We really would appreciate it if you could champion our idea with some help and guidance.

Yours sincerely

C. Bruce
Cameron Bruce
Jake Addison
Addison

Kalvin Phimister
K. Phimister

Ewen Bowie
E. Bowie

Edward Putnam
E. Putnam

Callum Bowie
C. Bowie

Robbie Bruce
R. Bruce

APPENDIX 3

Prof. Ashley Mowat
Chair Community Council
York House
York Place
Cullen

20th October 2009

Dear Cameron, Jake, Kalvin, Ewen, Edward, Callum and Robbie

Re Possible dirt bicycle track on site of community garden (previous quarry)

Thank you for your note delivered this evening.

It is very encouraging to get helpful suggestions from younger colleagues, and I personally think your idea is a good one.

You may not be aware that that this site was donated to the community by the Earl of Seafield to be transformed into a community garden some years ago, but as implied in your note things have not worked out as originally planned despite the efforts of a small group of enthusiasts who actually are the trustees of this ground.

The Community Council approached the secretary of the above group, and with agreement we have succeeded in starting a reclaim exercise with the help of the Community Services whose tidy up exercise we have got for free.

We will need to get the agreement of the trustees for us to look into the possibility of a cycle track and I will certainly do my best to get this moving before the next meeting of the Community Council, next month. We will need to get the agreement of several individuals and then start to make plans and see if we can secure the necessary funding. We will need your help with that in due course.

I think it would be good if we could all get together with the secretary of the trustees very soon and talk over the possibilities. If that site proves impossible for any reason we should look at other possibilities.

I will assume that I can use " Rockhaven " as the address for future correspondence if that is acceptable, and I will include all of your names in future letters, which I will also assume you will share with your parents.

Yours sincerely

Ashley Mowat

Letter of Objection - 09/01790/APP/Erection of two storey dwellinghouse on Plot 9 Former Filling Station And Land Seafield Road Cullen Buckie

"Further to our telephone conversation on 28th October 2009, I am writing on behalf of the Cullen & Deskford Community Council to register our very strong objection to the most recent application at the above site.

As I indicated during our telephone discussion, we are very unhappy that we have not been given the opportunity, due to time constraints and not having been notified at the appropriate time, to discuss this matter fully at a Community Council meeting. Indications from a preliminary discussion however, together with e-mails received this week from fellow Community Councillors, indicate that all the Community Councillors reinforce the previous objections to any attempt to gain approval for more buildings on this site. The Community Council submitted several letters to Mr Alan Short re the previous application, together with a statement which was read out at the subsequent hearing. I am sure you will have these on file; however, if you do require further copies, please let me know.

One of the conditions of the previous application related to a reduction from 12 to 8 units. An application for additional houses would seem to be an attempt at enhancement which we understand is not allowed, but if granted, would breach the conditions previously set.

One of the common themes running across the 70+ objections previously received related to road safety and in particular a safe route to school for many schoolchildren who pass by this site on their way to Cullen Primary. This additional house would exacerbate the very conditions that our community was trying to avoid. Should the new medical centre also be built in the proposed location on the other side of Seafield Road, then this can only compound matters.

We trust that you will be able to take our views into account when considering this application."