

BURGHEAD and CUMMINGSTON COMMUNITY COUNCIL

Minutes of regular meeting, held at Burghead harbour office
3rd June 2010

Present :- John Gordon (Chair); Mollie Fraser, Jennifer Walker, Alistair Mackenzie, Billy Davidson, John Main, Jim McCourt

In attendance:- Moray Councillors – Mr Alan Wright; Mr David Stewart
Police Constable Susan Glover.

John Gordon opened the meeting at 19.33 and welcomed WPC Glover.

Police Report

The CC expressed serious concerns about four local issues:-

- Repeated episodes of under-age drinking and partying in the Roseisle woods and forest, and other areas of Burghead.
- Debris, including dangerous objects e.g. broken bottles, being left at these drinking sites, and on the beach
- The risk of fire in the woods, the caravan park and other locations. This risk is likely to increase as the summer progresses and dry weather continues.
- Possible injuries arising from the above, and threats to the reputation of Burghead as an attractive place to visit

In response, WPC Glover emphasised that the police (especially WPC A Savage) are carrying out foot-patrols in the area (These are aimed partly at tackling the previously raised problem of dog faeces in the village). Vehicle patrols also occur regularly, and include the caravan park. Wherever problems in the forest are reported, they will be investigated (although there was one recent occasion where admittedly this did not happen). Complaints should be made on 0845 600 5700. Already, several calls from the public about under-age drinking have been dealt with, so the police are aware of the problem. The meeting accepted these issues recur annually, but considered whether the excessive consumption of alcohol outdoors should be banned in and around Burghead (see point made by Cncllr Wright under members' items below).

The police can confiscate alcohol, pour it out on site, or take young offenders home to their families. They have been called to the Headland Centre area recently, and advised youths found there to respect the locality and to remove their litter when they left.

The CC also raised concerns about motor cycles being ridden in the woods, the beach and the cycle paths. WPC Glover stated these are reportable offences, and that the police traffic unit will be advised.

WPC Glover gave the welcome news that crime levels in Burghead and Cummingston are very low, but that there have been six minor road traffic accidents in the area over the last month or so.

The meeting thanked WPC Glover for her report and expressed their appreciation of the positive response being made by the local police. WPC Glover then left the meeting.

Adoption of minutes of previous meeting (6th May).

Acceptance proposed by Mollie Fraser **Seconded** by Alistair Mackenzie

Matters arising from previous meeting

Marchhead Cottage - There have been no further developments, since the Council's letter of 20th May. Mollie has drawings of the proposed development, downloaded from the Moray Council website.

SEPA – no action or developments in this area

Amenities Association – The minutes of the AGM were considered to be lacking in detail, and clarity. The minutes make no mention of the Community Council's concerns earlier notified to the Amenities Association.

The meeting expressed concern that the board of the association appeared to be show a disproportionate number of members of the sub-aqua club. It is unclear if the interests of Burghead residents as a whole are being fairly represented.

After further discussion, it was agreed that the CC should clarify ownership of the land in question. **Jim will pursue this through the Land Registry**, and the CC are willing to pay the fee, believed to be £35. Mollie Fraser proposed this motion; Alistair Mackenzie seconded it, there being no dissension.

Sigurd Way – Alistair stated that some progress has been made, and most residents appear satisfied with the outcome. However, for others, there remain difficulties. It seems these are being dealt with and that there is no further need for CC involvement.

Cummingston playing field - Mollie stated that survey of the area has been completed, and a request was made that the local children could be asked their views. This was considered to be impractical, since there are too few of them and visiting children are often the ones using the play facilities.

Litter (football pitch) – The CC wished to congratulate everyone involved because a low level of litter was left after a crowd of some 200 watched Burghead defeat Hopeman 4-0 recently.

Smell near Maltings - this has now largely gone. The problem related to a fractured pipe and collapsed drain. Diageo paid for the repair, although the environmental health department were involved and will continue to monitor the situation.

Bus services – Stagecoach's response to the CCs concerns was that the matter is the Council's responsibility. So far, the CC letter to the Council has received no reply. Councillor Allan Wright stated that Stagecoach have no statutory obligation to provide a service which is not commercially viable. The Council subsidy to Stagecoach is intended to be used to safeguard particular routes and timings. However, it has tended to be adapted as a general subsidy. Stagecoach has reacted to suggestions of Council cuts (halving the subsidy) by threatening a disproportionate reduction in services.

There are petitions against the service cuts in Burghead (two), Hopeman, and Duffus. No alternative bus operators have shown an interest in providing a service.

Elections of Community Councils (gaps between old and new councils) – Alistair Keddie is dealing with this issue (in the period between old and new Councils there is a potential gap where no CC representation exists).

Footpath at top of village – this is now open, but is steep at the top. No bollards will be included at either end of the path because they would restrict disability vehicles.

Speeding – Cars are still travelling at excessive speed along the top road past the new housing development. There remains no specific speed limit on the curving road down to the village (off the Roseisle-Cummingston road). Traffic-calming measures are needed.

Secretarial correspondence – the meeting agreed the arrangement that Jim McCourt can write letters required by the CC. these are to be done on CC headed notepaper, pp Chris Tuke, with Chris's address for the return correspondence.

New items

Burghead youth shelter. Correspondence from David Millar, Moray Council was discussed (Appendix One).

The CC accept that local youths and children need a focal point. However concern was raised about the proposed location of such a shelter, its maintenance, insurance, and safety. Some years ago the CC raised a number of these issues with the Council but have never received a reply.

The meeting felt that it was beyond the remit of the Community Council to even consider taking responsibility for the shelter, and that a letter **to this effect should be sent by Jim**. Possible alternatives would be to follow the model adopted by other areas e.g. Hopeman, or refer the matter to the Amenities Association, since the shelter may be considered an asset for the youths of Burghead generally.

CC funding proposals. The CC considered the three funding options proposed by the Moray Council (Appendix Two). On balance, for simplicity, the CC selected option One (£1000 per annum to the CC). A guideline for this money is that £500 should be devoted to administration costs e.g. travel, courses, IT, with the other £500 to be spent on causes within the CC area. The meeting expressed concern about any claw-back of unspent funds, since this encourages needless expenditure, and mitigates against long-term projects.

Members' items

Alistair Mackenzie – The **cemetery gates** are clogged with sand and weeds. The Moray Councillors present suggested Ian Bruce is the man to contact about this – **Jim is to action this.**

A notice board by the new library may be useful. This matter has been discussed with Stephen Leach, the librarian from Lossiemouth.

A discussion ensued, confirming that the CC minutes must be displayed in a public place. There is no obligation on the Moray Council to provide such a place. It was suggested that the chemist shop in Burghead may be a good place and that **Jim would write to the proprietor** asking if this could be done (letter to be sent via Alistair Mackenzie).

Old library – the future role of this building is unclear; similarly it is not known when its availability might be advertised. The meeting expressed the hope that it would remain as a commercial operation.

Councillor David Stewart. The meeting unanimously agreed that congratulations were due to **Burghead Thistle** football club for their achievements, winning a league and cup double (defeating Cruden Bay in the cup final).

Jennifer Walker. The meeting fully endorsed Jennifer's suggestion that congratulations were due to **Boys Brigade members** Stephen Letch and Thomas Costen for attaining the President's Medal.

Councillor Allan Wright referred to an earlier point and suggested that if Burghead wished to consider **banning public consumption of alcohol**, then advice should be sought from Ms Rosie Gunn in the Legal Dept. **Jim will contact her about this.** An application would then have to be made to the licensing authority, and consideration would have to be given to the area of the "banning" order. There is a risk that drinkers will simply move just outside the prescribed zone.

John Main – A local resident has approached John and offered to pay for **three benches** – one to be placed near the Cythie; another by the Hitchanhangye, and a third close to the existing bench up on the headland. John has researched the locations and contacted the Moray Council. The meeting asked the Councillors if the Moray Council would undertake to provide the benches, as this arrangement would minimise costs. The meeting supported this proposal whole heartedly.

The Community Council **constitution** has been dealt with and accepted.

Jim McCourt – the issue of a common good fund for Burghead was raised. In the past this has been a contentious issue. Grampian Regional Council adopted all such Burghead land and their remit was subsequently taken over by the Moray Council. Any common good funds became lost in the process, although it is not considered that a large sum was involved. There may still be some land which could be considered as belonging to the common good. The Burghead Community Hall is owned by the people of Burghead.

John Gordon – A useful and productive meeting was held with police and fire services regarding the Clavie. Billy Davidson will be the link person from the CC and the Clavie will come "under the wing" of the CC. The CC will particularly liaise with the Council on matters such as insurance.

There being no further business, John Gordon closed the meeting at 21.21.

Next meeting:- 1st July, 7.30PM, Harbour office.

Appendix One

Hello John. Below you will see list received from Estates in Moray Council.

The group has got a constitution and have a bank account and have raised £2780.

The agreed preferred site is at the playing fields opposite the centre line and backing onto the woods.

The adult signatories are unwilling to sign a lease.

Therefore following a suggestion from somewhere it was mooted that the Community Council be approached to determine whether it had any ideas on how to proceed?

Thank you.

To pursue this the group will require to :

- 1/ Set themselves up as a formal group with a constitution which allows them to enter in to contracts leases etc.
- 2/ The Group would preferably contain adults who can act as officers for the group and sign the lease. Leases signed by minors is fraught with legal issues.
- 3/ We would require to agree with the holding department that the project is acceptable.
- 4/ Estates would require to agree terms of a development agreement and lease for the site.
- 5/ The agreement would be conditional on the group securing funding for the build costs and running costs
- 6/ The agreement would be conditional on them obtaining planning and building warrant for the structure.
- 7/ The group can then complete the development agreement and lease formally before entering site and completing the build obtaining all necessary consents including a completion certificate.
- 8/ The group would then be tenants with liability to run the property including cleaning maintaining repairing and insuring the property. Insurance will include buildings and public liability insurance.
- 9/ At the lease end the council will require that the building be removed and the site reinstated or that the group renew the lease.

Please note that the group would require to pay a rent for the site but it can seek a rental grant from a supporting department. I would assume Community Services may assist in that regard. Alison Hannan currently deals with rental grants for Education and can advise how applications are normally processed.

Several such proposals have been raised before but have failed to proceed. I suggest seeking advice from someone involved to assist as they will know what the issues are which caused them the most difficulty. I recall one was proposed at the rear of Portessie PS.

Appendix Two

Chief Executive's Office
John Ferguson
Community Planning & Development Manager
High Street, Elgin, Moray, IV30 1BX

Telephone: 01343 563404

Fax: 01343 540399

Alastair Keddie
Chief Executive

E-mail: john.ferguson@moray.gov.uk
Website: www.moray.gov.uk

Our Ref: JF/am/782377



May 2010

To:
Community Councils
Area Forums
Moray Forum
Chair, Joint Community Council

Community Engagement Funding Arrangements Consultation

It was agreed that a final consultation period would take place on the funding arrangements suggested last year for Community Councils and Area Forums. Following discussion with the Moray Forum and the Joint Community Council earlier this year it was agreed to seek comments on the questionnaire. This phase is now complete and I am now asking that the final consultation is returned by 30 July 2010.

As part of the process of seeking comments a number of groups have already made opinions on the consultation known and, if people are content with the content of their initial responses, I will ensure that these comments will be included in the overall response presented to Council. I appreciate your assistance in this matter.

Yours sincerely



John Ferguson

Financial Assistance Consultation

We are seeking firstly your opinions on options outlined initially by the Moray Council.

The Council made changes to the support offered to Community Councils and Area Forums with the establishment of the Community Support Unit (CSU). Community Councils and Area Forums felt that we could not progress the issue of funding until they were clear on the level of support they would receive from the new unit. With the creation of the CSU team plan and the development of support agreements, it is now clear the level of support Community Councils and Area Forums will receive from CSU staff. These were presented earlier this year to both a meeting of the Joint Community Councils and to the Moray Forum.

Option 1 outlined by the Council for funding of Area Forums and Community Councils was: *“Community Councils and Area Forums are given a grant of £1000 each. An amount of £500 would be for administration costs and the remainder as a grant to support projects initiated by the group. £500 each would be allocated to the Moray Forum and to the Joint Community Council.”*

Option 2 outlined by the Council to support community Councils and Forums is to *“provide a £500 basic grant and per capita amount to Area Forums and Community Councils based on the current per capita formula for Community Councils. £500 each would be allocated to the Moray Forum and to the Joint Community Council and could leave a small Moray wide fund to be available to Community Councils and Area Forums*

Option 3 was to *“combine Community Council and Area Forum grants and allocating a base grant of £1500 for the area and a per capita amount per area (aligned to Area School Group areas.) £500 each would be allocated to the Moray Forum and to the Joint Community Council. The Area Forums jointly with the Community Councils then allocate this across the area. This would allow for example some areas to provide support to community associations or other specific community engagement organisations.”*

If you have an alternative scheme which you feel should be considered we would be interested to look at this and consider as an alternative.

There are 2 sets of figures attached for information. Firstly the figures as proposed at the Council meeting last year and, secondly, the amounts that would be allocated if the entire budget was made available. It was felt strongly that the full budget figure should be used so we have provided figures for the proposals offered by the Council and if we were to use the entire budget as was suggested during the previous consultation. The figures are based on the full population figures for each area and not the electorate.

There were some other questions which have been raised to which we would like your opinion.

The key questions we would like to ask are as follows:

- Which of the proposed options is your preferred model Option 1, 2 or 3? *(it would be useful to suggest why you have chosen that option)*
- Do you have an alternative suggestion for how the budget could be distributed fairly?
- Should the amount be for administration costs only, or should this amount be used for purposes decided by the group?
- Should a standard amount be given over for administration purposes?
- If an organisation does not spend its allocation for a financial year then the Council will only provide a top up to bring the amount an organisation has to its annual level

We would welcome any other comments that Forums or Community Councils may have. I appreciate your assistance and patience in this matter.

Appendix A

Original proposals

Option 1

Each Community Council and Area Forum would receive a grant of £1000, cost to Council £24,000, plus £500 each for the Joint Community Council and the Moray Forum.

Community Councils

Buckie	£1,000
Burghead and Cummington	£1,000
Cullen and Deskford	£1,000
Dyke Landward	£1,000
Elgin	£1,000
Findhorn and Kinloss	£1,000
Findochty and District	£1,000
Forres	£1,000
Heldon	£1,000
Innes	£1,000
Keith	£1,000
Lennox	£1,000
Lossiemouth	£1,000
Portknockie	£1,000
Rathven and Arradoul	£1,000
Strathisla	£1,000
Joint Community Councils	£500
Total Cost	£16,500

Area Forums

Buckie	£1,000
Elgin North	£1,000
Elgin South	£1,000
Forres	£1,000
Keith	£1,000
Laich	£1,000
Milne's	£1,000
Speyside	£1,000
The Moray Forum	£500
Total Cost	£8,500

Cost of Option 1 £25,000

Option 2

A £500 basic grant would be given to each Area Forum and Community Council plus a per capita amount based on the population figures

Community Councils

Buckie	663.44
Burghead and Cummington	536.04
Cullen and Deskford	535.82
Dyke Landward	518.20
Elgin	916.96
Findhorn and Kinloss	570.38
Findochty and District	522.12
Forres	686.64
Heldon	570.60
Innes	607.46
Keith	591.94
Lennox	565.52
Lossiemouth	650.74
Portknockie	524.34
Rathven and Arradoul	511.38
Strathisla	560.12
Total Cost	£9,531.70

Area Forums

Buckie	754.74
Elgin North	800.58
Elgin South	672.00
Forres	795.38
Keith	661.96
Laich	757.00
Milne's	666.34
Speyside	647.40
Total Cost	£5,755.40

Joint Community Council	£500
The Moray Forum	£500

Total Cost of Option 2 **£16,287.10**

Option 3

Combining Community Council and Area Forum grants and giving each Associated School Group area a per capita sum. The area forums and community councils would then decide jointly how that amount could be distributed in their area. Additionally a £500 grant to the Joint Community Council and the Moray Forum.

Buckie	2964.75
Elgin North	3228.33
Elgin South	2489.00
Forres	3198.43
Keith	2431.27
Laich	2977.75
Milne's	2456.45
Speyside	2347.55
Total Cost	22093.53

The Moray Forum	500.00
Joint Community Council	500.00

Total Cost of Option 3 **£23,099.53**

The following options are listed following a request from Moray Forum to consider these options by spending the entire budget. This is an illustration. At this stage it was not in the initial proposals put to elected members, however all proposals will be welcome.

Option 1

Each Community Council and Area Forum would receive a grant of £1000, cost to Council £24,000, plus £500 each for the Joint Community Council and the Moray Forum.

Community Councils

Buckie	£1,000
Burghead and Cummington	£1,000
Cullen and Deskford	£1,000
Dyke Landward	£1,000
Elgin	£1,000
Findhorn and Kinloss	£1,000
Findochty and District	£1,000
Forres	£1,000
Heldon	£1,000
Innes	£1,000
Keith	£1,000
Lennox	£1,000
Lossiemouth	£1,000
Portknockie	£1,000
Rathven and Arradoul	£1,000
Strathisla	£1,000
Joint Community Councils	£500
Total Cost	£16,500

Area Forums

Buckie	£1,000
Elgin North	£1,000
Elgin South	£1,000
Forres	£1,000
Keith	£1,000
Laich	£1,000
Milne's	£1,000
Speyside	£1,000
The Moray Forum	£500
Total Cost	£8,500

Cost of Option 1 £25,000

Option 2

A £500 basic grant would be given to Area Forums and Community Councils plus a per capita amount based on the population figures.

Community Councils

Buckie	1092.47
Burghead and Cummington	630.65
Cullen and Deskford	629.85
Dyke Landward	565.98

Elgin	2011.48
Findhorn and Kinloss	755.13
Findochty and District	580.19
Forres	1176.57
Heldon	755.93
Innes	889.54
Keith	833.28
Lennox	737.51
Lossiemouth	1046.43
Portknockie	588.23
Rathven and Arradoul	541.25
Strathisla	717.94
Total Cost	£13,552.41

Area Forums

Buckie	1423.43
Elgin North	1589.60
Elgin South	1123.50
Forres	1570.75
Keith	1087.10
Laich	1431.63
Milne's	1102.98
Speyside	1034.33
Total Cost	£10,363.33

Joint Community Council	£500
The Moray Forum	£500

Total Cost of Option 2 **£24,916**

Option 3

Combining Community Council and Area Forum grants, giving each Associated School group area a per capita sum. The area forums and community councils would then decide jointly how that amount could be distributed in their area.

Buckie	2964.75
Elgin North	3228.33
Elgin South	2489.00

Forres	3198.43
Keith	2431.27
Laich	2977.75
Milne's	2456.45
Speyside	2347.55
Total	22093.53

The Moray Forum	500.00
Joint Community Council	500.00

Total Cost of Option 3 **£23,093.53**