

BURGHEAD and CUMMINGSTON COMMUNITY COUNCIL

Minutes of regular meeting, held at Burghead harbour office
6th May 2010

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

In attendance:- Moray Councillor, Mr Allan Wright

Mr and Mrs Rattray, Marchhead Cottage, Cummingston.

(No police officers in attendance)

Apologies:- Chris Tuke; Councillor Stewart; Councillor McGillivray

John Gordon opened the meeting at 19.33, and welcomed those attending, especially the guests.

Jim McCourt took the minutes.

Marchhead Cottage

Immediate priority was given to this item in view of the attendance of Mr and Mrs Rattray. Mollie Fraser introduced the couple, and raised strong objections to the proposed development at the site. As stated in previous minutes, the core problem is that a feu has been divided, with the result that three properties now occupy one third of an acre.

The objections relate to the following issues:-

- Parking facilities are woefully inadequate - the proposed development will result in accommodation with ten bedrooms. The CC understands that, consequently, ten parking spaces should be provided – this is an impossibility. There are already vehicles parked dangerously at the site, and on the main road. Emergency access e.g. for a fire engine or ambulance could be highly problematic.
- Traffic congestion. All vehicles at the site are required to use one shared opening. The congestion/parking creates a serious safety hazard for vehicles using the main road through the village. There is also a bus-stop adjacent to the site, with the potential for further bottle-necks, and risks of accidents.
- Overcrowding of the site in general.

The planning application for the site has a long history. An initial application was refused, but an amended version was passed. However, the intended building will be overwhelming and inappropriate for the immediate area.

The CC in general expressed strong concern and dissatisfaction with the Moray Council planning department.

Councillor Wright commented that CCs are no longer statutory consultees for every planning application, but can – with good reason – seek a consultation.

The CC debated:-

a/ to seek a consultation with the Council regarding the application, or

b/ to write raising the above objections. Apologies were offered for CC confusion over the intention to write mentioned in the previous minutes, which was not followed through.

The decision of the CC was that Jim should draft a letter expressing the above objections and pass this to Mollie and John Gordon for consideration. This action is to be taken asap.

Mr and Mrs Rattray than amicably left the meeting.

Adoption of previous minutes

Acceptance of the minutes of 1st April were proposed by John Main and seconded by Alistair Mackenzie.

Matters arising from the previous minutes

Coat of Arms

No progress has been made, but developments are expected shortly. The core issue relates to the type of bull to be featured on the Arms.

Conservation Area

The meeting was not aware of any actions on changes in or around the harbour. The planning application for six flats has been refused, on the grounds of inadequate parking provisions.

Licensing laws

There have been no further developments, but the coming JCC meeting may provide some information.

Burghead library

The library has now been relocated and the CC noted the invitation from the Chair of the library for CC members to visit. AM felt that signs were needed to help locate the library. At least 2-3 commercial parties interested in taking over the old library location.

Pot-holes

There has been no significant change in the condition of the roads.

Environmental health

The condition of the area around the “Morning Noon and Night” shop is variable – sometimes relatively tidy, but sometimes still causing concern.

Wind –turbines at Cumingston

There was lengthy and animated discussion, and unhappiness, about the grounds for approving the (re-submitted) planning application for a wind-turbine at Rowanbank. The CC felt that clear guidelines existed for the erection and siting of wind-turbines – either at Moray Council or Scottish Government level, but that these were being overlooked, or applied inconsistently. Specifically, the CC considered that the approved turbine was larger than allowable, and too close to adjacent properties.

There was discussion of precisely what guidance does exist and **the meeting in general agreed to search the Scottish Government website for this.** Councillor Wright stated that the Council were unaware of any requirement that a turbine had to be 100 metres from the nearest house.

Although the approved turbine will be used for commercial purposes in that it will power a business, this still constitutes an “own-use” development because there is no intention to sell the electricity generated to the national grid.

The Moray Council accepts that there was a “glitch” with the weekly planning lists so that, for a 2-3 week period, no CC received any notice of planning applications – and therefore no objections could be raised. However, one reason for approving the turbine application is because no objections were made!

The CC returned to earlier concerns about inconsistency in Moray Council planning applications. Councillor Wright stated that planning policies allow scope for interpretations and so decisions can vary between officers.

The planning application for the Strathdee turbine on Clarkly Hill has been submitted – this is a commercial venture.

Concerns were also raised about poly-tunnels at the Rowanbank site, particularly since these obscure the sea-view from the road. It had previously been agreed that, because the area is a coastal protection zone, no such obstructions would be allowed.

Members’ items

John Main.

SEPA appear to have lost all interest in the site with rubbish dumped in it

The **cycle track** is now cleared and in good condition. The CC is satisfied with the Council’s response, but noted that some three years had elapsed since the issue was first raised. The CC again expressed their appreciation of all John Main’s efforts.

John Gordon

The AGM of the **Amenities Association** is on 20th May. The CC continue to have concerns about the proposed building/clubhouse. Specifically, the CC are prepared to offer support for the project, but only on the following terms:-

- Any project on the land in question must be for the good of Burghead generally, and of benefit to all the people of Burghead – it would be inappropriate for usage to be devoted to a select group, or to mainly non-Burghead residents.
- Ownership of the land must be established beyond doubt.
- The Amenities Association itself should have a balanced membership and not be weighted disproportionately in favour of any one group.

The CC felt strongly that Chris Tuke should be asked to compose a letter along the above lines, forward it to the Association urgently, and request that it be read aloud at their AGM.

Having a prior engagement, Councillor Wright left the meeting at 20.40.

Alistair Mackenzie

Sigurd Way

Amicable agreement has been largely reached on the heating problems, with some exceptions. The heating systems in the houses has been a controversial design. AM will check further on developments and report back at the next meeting.

Billy Davidson

Under-age drinking and fire-setting in the forests around Burghead are again becoming significant problems. Incidents are blatant and frequent. There are clear health, and safety, risks, as well as criminal offences. In addition, unsightly and hazardous mess is created.

The CC in general concurred in expressing concern about the apparent lack of a visible police presence in Burghead – this is especially ironic given their stated intention to increase foot patrols.

Following a discussion of the above issue, the CC agreed that **John Gordon would email the relevant police officers strongly requesting their attendance at the next CC meeting.** It was suggested that, if no improvement occurred with regard to the above problems, that the CC should voice their concerns in the local media.

Mollie Fraser

Surveys have been carried out at the playing field in Cummington, seemingly with a view to providing new play equipment there.

John Main

Litter around the forest football pitch is a concern. This may be partly due to a lack of bins, but also to carelessness and failure to be tidy. Council bins at the location would be a help.

There is a **gap between the end of a Community Council's four-year term and the beginning of a new Council's tenure.** Consequently, during this period of a few months, there is no CC representation for the public. It was suggested (and enthusiastically supported by the meeting) that the JCC should be asked to seek an extension of the concluding term of a CC up to the point where a new council takes office.

Smell in Burghead. John has contacted the environment health department about the foul odour in the village recently, and has ensured that they will take firm action on this within 28 days if no resolution is achieved. John has identified the smell as being burnt ale, due to a fractured pipe. This has been an occasional problem for over ten years.

Bus Services. The meeting expressed strong views on this matter. While no revised time-table will be published until mid-May, there are anxieties about reductions in services. Specifically, there are fears about removing all Sunday and evening buses – this would have a critical impact on shift workers, youths, hospital visits etc.

Petitions have been raised in the post-office and the chemist.

The CC strongly stated that cuts in services should be resisted and that action was required to protect the interests of local residents who rely on buses.

It was agreed that Jim would draft a letter to Stagecoach expressing the views of the CC and pass this to John Gordon for approval.

Misc.

The footpath at the new housing development is ready to be opened, and bollards will be put there to prevent vehicles being driven along it.

Chevrons are still needed at the corner by the cemetery – speed remains a problem on that road. An appraisal of the road is necessary.

The CC expressed their appreciation for the contributions made and work done by Chris Tuke. The view was also expressed that, given Chris's need to be out of the area at the moment, then some of the correspondence could be undertaken by Jim McCourt. This option will be mentioned to Chris by John Gordon.

There being no further business, the meeting was brought to a close by John Gordon at 22.05.

Next meeting:- Thursday 3rd June 2010; 7.30PM