

**Cullen & Deskford Community Council  
Meeting on Thursday 16th May 2013  
Cullen Community and Residential Centre**

**M I N U T E S**

|                       |   |
|-----------------------|---|
| <b>Present:</b>       | <b>Malcolm Watt (Vice-Chair)<br/>Zillah Jamieson (Secretary/Acting Treasurer)<br/>John Aitken</b>                           |
| <b>In Attendance:</b> | <b>Tom Gunn<br/>Andrew Mackie<br/>Elle Madden</b>   |
| <b>Apologies:</b>     | <b>Ashley Mowat (Chair)<br/>John Robertson<br/>Sheila Donn<br/>David Paterson<br/>Cllr Gary Coull<br/>Cllr Stewart Cree</b> |

**1. Welcome and Apologies**

The Vice-Chair welcomed all attendees to our 39th meeting of the new term, and, in particular, Elle Madden, a Police Cadet, who joined the meeting with Andrew Mackie, Community Warden.

**2. Minutes of Previous Meeting (18th April 2013)**

The Minutes were approved as a true record.

**3. Reports**

**3.1 Police**

The Local Policing Report is attached as Appendix 1.

Developments are awaited on the lighting and safety issues at the harbour - following the Chair's meeting with Cllr Cree and Moray Council Officers.

**ACTION: Ashley Mowat**

**3.2 Community Warden**

The Community Warden Report is attached as Appendix 2. Andrew Mackie also highlighted that he had received complaints regarding litter, and that he would be attending training re abandoned cars.

Several suggestions were made, as follows:-

- Resite the dog poo bin currently next to the recycling point to the top right hand side of the playing fields
- Investigate, source and hopefully display Bag it and Bin It signs at relevant points
- Speak directly to Moyra Hendry regarding the Quiz, which has attracted no entries thus far (it was put out on 22nd April 2013).

### **3.3 Local Councillors**

No Councillors were in attendance.

### **3.4 Treasurer**

The Secretary confirmed that the last bank statement (28/02/13) indicated a balance of £3,374.37. Items of expenditure since the last meeting include: 50% of website hosting (£37.50), 3 new flags and repair of old flag (£347.85) and Secretary expenses (£33.27). The final annual grant from Moray Council for this term has been received - amounting to £312.71. The accompanying letter also confirmed the formula used to calculate this. In addition, a cheque has been received from the Cullen Common Good Fund for £150.

Taking this income and expenditure into account, the balance in the bank account stands at £3,418.46 (as at 08/05/13).

Outstanding expenditure includes £300 to repair of the Town Hall Clock and all expenses related to the production of the 2014 Calendar. The bank reserves also include £250 ring-fenced for Neighbourhood Watch.

The Moray Council grant letter encouraged us to contribute £75 to the JCC's Moray-wide awareness campaign for the forthcoming election process (this was discussed at the last meeting of the Community Council when it had been decided not to contribute to this campaign). The letter indicated that "this offers an ideal opportunity for promotion of your Community Council and all Moray Community Councils which is one of the main purposes of your administration grant." In addition, the Secretary confirmed having received a communication from the Vice-Chair of the JCC indicating that the February meeting of the JCC had agreed with the proposal that each Moray Community Council should be asked to contribute to a fund to promote nominations for the next community council term starting in October. Thus far, the Sub Group responsible for the campaign has produced publicity material to promote community councils and to give information on the nomination process, including a leaflet, a poster, a press advert and a press release. The £75 contribution will be used for advertising in the Spotlight magazine and in the local press. JCC funds will also contribute between £200 and £600. Unspent money will be returned to community councils. Most of the press publicity will be in early August just before the start of the nomination period. The JCC will also attempt to get radio and TV coverage and also generate interest from youngsters, including 16 and 17 year olds who are likely to be able to stand and have a vote. Nominations are also being encouraged from the 4 areas which currently do not have a community council. The aims of the campaign are to publicise community councils in general, to encourage more nominations than there are seats available so that elections have to be held, and to encourage the public to use their vote when needed. Following discussion, it was agreed to contribute the £75 requested, provided that it was used specifically for the next elections and no other purpose.

The Secretary confirmed having completed and sent off (26/04/13) the bank documentation - as reported at the last meeting. No further correspondence has been received.

## ITEMS FOR DISCUSSION

### 4. Moray Council Budget Proposals

**Public Meeting:** The Vice-Chair confirmed that the public meeting was well attended and resulted in some very positive and constructive discussion. Some of the points raised included:-

- **Equality Impact Assessment:** such assessments are undertaken to comply with recent equalities legislation, whereby any proposal needs to be evaluated against the needs of e.g. age, disability and gender; there is also a duty to mitigate the effect caused by any proposal; if the costs of mitigating are greater than the savings, then the proposal cannot be implemented; the assessments will be undertaken based on facts and figures already available; these do not go out to consultation; the final assessment is scheduled to be finished in June; there are no additional costs associated with these assessments, as they are undertaken by the Equalities Officer within Moray Council; Cllr Cree is the Equalities Champion within the Council; Cllr Cree urged anyone in the audience with personal accounts and problems to write to the Equalities Officer in order to supplement the statistics
- **Government Process:** it was suggested that there are real savings to be made in the government process, with bureaucracy outweighing benefit
- **Libraries:** Cllr Cree confirmed that the level of provision - following the proposed cuts - would meet the legal requirements, as researched by the Legal Department; he invited the audience to e-mail him with comments; the Chair proposed that we should not be settling for the lowest common denominator given the current level of quality of the library service in Moray
- **Community comments:** An assurance was received from the Councillors that points made by the community would be taken into account; and that decisions on the proposed cuts would be taken following the completion of the EIAs; it was also suggested that Moray Council is "chipping away" at the community ethos of small towns; it was also suggested that Moray Council as an entity is not a viable proposition; a question was raised as to whether the cumulative impact of combined cuts (as in Cullen with both toilets and the library) would be taken into account when undertaking the EIAs
- **Toilets:** some of the points raised during the discussion included: it is up to the community to decide which of the toilets continues to be operated by Moray Council; disabled access is a critical factor within the EIA; the harbour toilet cost savings amount to £1,000; there are child protection issues involved, in relation to changing for bathing etc; health and safety standards are also paramount; a roving cleaning team looks after the toilets; they are not closed overnight because there are savings to be made in keeping them open all the time; closing the toilets is not against human rights; there was an overwhelming opinion that the small savings involved were totally negated by the cost of tourists not returning; it was suggested that Cullen moves into Aberdeenshire - especially given the news that Aberdeenshire Council is to spend £72,000 on toilets for Sandend.

The Chair sent a note of thanks to all 3 locally elected councillors (23/04/13) for attending the public meeting on 22nd April 2013. He emphasised that the huge turnout and the nature of most of the queries reflected the major anxiety that the proposed closures are generating, with the anticipated modest savings seen as wildly disproportionate to the resultant negative impact. He expressed the hope that the completed EIA will allow the decision to close Cullen Library to be revoked for all the reasons discussed. The MC's definition of "adequacy" of library provision, as per the statutory obligation, is not acceptable to our ageing community and the real hardship caused to many by removal of this service to Buckie is not minor (as was instanced and summarised in the Secretary's presentation, and in the earlier letter from Trisha Watt accompanying the 782 signatures of objection). The library preservation is now firmly in the hands of MC's administration group and he expressed the hope that Moray Council is a listening organisation and that good sense will prevail. He also emphasised that the toilet closures in Cullen present a serious and unique threat to tourism, the lifeblood of our fragile economy. If there is not the possibility of these closures also being reviewed, then dialogue and co-operation between Moray Council, the Community Council and all other interested groups in Cullen would be urgently required to reach a satisfactory conclusion. He offered the Community Council as the vehicle for such small group discussion, if given the opportunity. He also highlighted the strong community spirit that is still alive in Cullen.

Press coverage of the public meeting appeared in the P & J (24/04/13), the Northern Scot (26/04/13), the Banffshire Advertiser (30/04/13) and the Banffshire Journal (07/05/13).

Since the Public Meeting, the Community Council has received some copy correspondence with the 3 locally elected councillors, including one 3-page letter from a Cullen resident which put forward a case for the retention of the public toilets and library, and also asking some questions in relation to administration, the need for as many councillors as current and the costs of the Elgin bypass. Neither Cllr Shepherd's 3-line acknowledgement nor Cllr Cree's 2-page letter attempted to answer the specific questions posed; Cllr Cree's response reiterated comments which have already been widely seen in the press. To date, Cllr Coull has not responded. In addition, the Secretary (as a resident of Cullen) posed several questions to all 3 locally elected Councillors; responses from Cllr Cree and Cllr Coull are contained in Appendix 3; Cllr Shepherd has not responded to date.

The Secretary confirmed that the Chair had received an invitation to attend a meeting of the 4 campaigning library groups to discuss a possible joint strategy; unfortunately, he was not available on the proposed date; however, he did provide a written update on the activities undertaken by the Community Council thus far which he copied to Richard Lochhead and highlighted that a response had not been received from the MSP to our open letter. Mr Lochhead indicated by e-mail (12/05/13) that he would investigate why we had not received a full response from him; developments are awaited.

**Public Toilets:** The Secretary confirmed having received a response from the Community Asset Transfer team (17/04/13), indicating that Moray Council are currently checking the title deeds of all the public conveniences which have been listed for closure; in addition, the response confirmed that an Equality Impact Assessment is being undertaken with regard to the closures. Further communication will take place once the outcome from both of these is known.

The Secretary confirmed that she had received a phone call from a concerned resident in relation to the understanding that a convicted paedophile had been residing in Cullen; this was raised in particular regard to the removal of safe changing facilities for children should the Harbour and Beach toilets close. It was agreed that the Secretary should check out the facts with the local police, and then ask the concerned resident for a formal letter before taking matters further, including writing to the 3 locally elected councillors emphasising the requirement for safe changing facilities for children.

**ACTION: Zillah Jamieson**

The Secretary confirmed that she had been approached regarding a potential PR exercise to join Aberdeenshire; following discussion, it was agreed that this would not be an appropriate time for this.

## **5. Cullen & Deskford 2014 Calendar: discussion on progress.**

The judging of the 167 entries from 44 individuals took place on 19th April 2013, and all entrants were advised of the outcome (09/05/13) - with several responses received. In addition to the 13 winning entries (12 months + front cover), 44 were commended for inclusion in the Cullen Library display. Production is in hand of 1000 copies, at a cost of £1,537 + VAT.

Following discussion, it was agreed that the retail selling price should be £5, the retail outlet purchase price £3.75, and the £1.25 proceeds to go to community projects.

All winning and commended entries have been printed for display in the Cullen Library - to commence towards the end of May.

The Vice-Chair undertook to invoice all sponsors (£50/month and £25/block) and to collect the monies.

## **6. Planning**

### **6.1 Aultmore Wind Farm**

Nothing to report at this time.

**ACTION: John Robertson/John Aitken**

## **7. A.O.C.B.**

**7.1 New Members:** following discussion, it was agreed to consider producing a leaflet similar to that produced for the last elections, with a view to delivering it to all Cullen households at the same time as the Summer Festival leaflet. John Aitken indicated that the same details could be contained within the Deskford Association Newsletter. Full details of the forthcoming elections should also go into the Discover Cullen e-Newsletter, be circulated to all the database e-mail lists, appear on the website and hopefully be featured in an article by the Banffshire Advertiser. The copy for the leaflet is to be discussed at the June meeting.

**ACTION: Zillah Jamieson**

**7.2 Certificates of Achievement:** The Secretary confirmed having provided 3 certificates of achievement for the previously named Deskford recipients; unfortunately, the Chair had been unable to attend the presentation on 1st May 2013. Press coverage resulted in the Banffshire Advertiser (07/05/13). The Secretary undertook to ask the Chair if all actions on this had been completed. Potential Cullen recipients will be discussed at the June meeting.

**ACTION: Zillah Jamieson**

**7.3 Cullen Has Talent:** It was noted that Cullen Primary School has expressed concern regarding their capacity to put on the Cullen Has Talent event. All attending fully understood the pressures, and agreed that, regretfully, this highly successful event will not take place in 2013.

## **8. ITEMS FOR NOTING/DISCUSSION BY EXCEPTION**

**8.1 Cullen Medical Centre:** Nothing to report.

**ACTION: Ashley Mowat/Malcolm Watt**

**8.2 Cullen Community and Residential Centre - potential Asset Transfer:** Work is in hand to obtain funding for the feasibility study/ community consultation/business plan.

**ACTION: Zillah Jamieson**

**8.3 Cullen Harbour Association Report:** See also comments under item 3.1. The Vice-Chair reported that all arrangements are in hand for the Cullen Summer Festival.

## **8.4 ITEMS AWAITING ACTION/CONFIRMATION OF ACTIONS TAKEN**

### **AWAITING ACTION:**

**8.4.1 Lawtie Trust:** The Trust is to be reviewed in 2014.

**8.4.2 Community Website:** Investigation on traffic statistics from Google Analytics remains an outstanding action.

There are currently 100 subscribers to the Newsletter; newsletters are sent out regularly, with the prime objective of driving traffic to the website.

**ACTION: Zillah Jamieson**

**8.4.3 Logie Head Path:** an outcome from Eleanor Munro of Aberdeenshire Council is awaited.

**ACTION: Zillah Jamieson**

**8.4.4 Centenary Memorials Restoration Fund:** The Chair confirmed having received a response from Cllr Coull on this topic; the application forms are still awaited.

**ACTION: Ashley Mowat/Cllr Coull**

**8.4.5 Seafield Arms Hotel, Cullen:** The Secretary confirmed having received a communication from Amanda Cruickshank, Planning Enforcement, Moray Council (17/04/13), as follows:- "This matter was brought to Moray Councils attention in March and an Enforcement Case Ref. 13/00033/ENF was opened as prior consent for this work should have been sought. Unfortunately as no owner could be identified to pursue, it was decided that no further action

would be expedient at this time and the Enforcement Case is now closed. I appreciate we have been unable to offer a quick remedy for this breach, however I hope that this is a very temporary arrangement and new owners found soon as having any building in the heart of a community boarded up is very unwelcome. I understand that the building at 31-33 Seafield Street, Cullen which was previously boarded up is now under new ownership with a view to re-opening which is great news."

In addition to advising the concerned resident accordingly, the Secretary also responded to Amanda Cruickshank, expressing incredulity as to the comments re ownership, given that she had advised Moray Council of the identity of the owners in her earlier e-mail to Richard Smith (02/04/13); she requested that the Enforcement Case be re-opened and urgent action taken. She sent a further communication (23/04/13) as follows - and copied to all 3 locally elected councillors: " The building is listed and within the conservation area and in a prominent position in Cullen - so I would disagree with your assertion that no further action would be expedient. Further information I have received is that the owner now is Santander Bank plc, and this property is being looked after on their instruction by Aberdeen Considine, Justice House, Mill Lane, Aberdeen AB11 6EQ - this is all information in the public domain, so I am at a loss as to why you say no owner could be found as this information should be available to you through your revenue section. While the owners may argue the building needs to be secured for insurance purposes, that may be the case to the rear, but on the street front, I would say no as the windows of the building, if boarded up for any length of time, will detract from its visual importance and have a detrimental impact on both its listing and the conservation area. The windows therefore on the front elevation at least should be opened up. I have copied this exchange of e-mails to our locally elected councillors."

A response was received from Stuart Dale (Enforcement - 23/04/13) indicating: "In light of the information you have recently provided Amanda and I have decided to meet with our line manager Neal MacPherson and Craig Wilson to discuss this matter further to explore whether it is expedient to re-open this investigation. Although I appreciate your concerns regarding the effect the boarding up of the windows may have on the character of the building and its detrimental impact it may have on the conservation area it should be also borne in mind that the protection of the listed building in the long term is equally if not more important than the immediate impact this course of action may have had on both the building and the conservation area. Unfortunately there are too many abandoned listed buildings throughout Moray that have had owners that have shown no responsibility whatsoever towards protecting their buildings and in enforcement terms these buildings one could argue should be prioritised." Further developments are awaited.

**8.4.6 Cullen Town Hall Clock Repairs:** The Secretary confirmed that the application to the Cullen Common Good Fund (for £150) had been successful, and a cheque received from Moray Council. The balance of £150 is to come from the Community Council. The work has now been commissioned.

**ACTION: Zillah Jamieson**

**8.4.7 Review of Aultmore Forest Design Plan:** John Robertson is to confirm actions taken.

**ACTION: John Robertson**

## **CONFIRMATION OF ACTIONS TAKEN:**

**8.4.8 Cullen Town Hall Flag:** The Secretary confirmed that the Fire Brigade raised the flag on 06/05/13.

### **8.5 Planning - Weekly List**

The following application appeared in the Weekly List of 5th April 2013:-

- Demolish curtilage wall to form a gateway opening at Seatown Lodge, Seatown, Cullen
- Change of use of restaurant/café shop to hot food restaurant takeaway including new extraction flue 31 Seafield Street, Cullen
- Erect house at site at rear of Palm Cottage 10 Seafield Place Cullen.

The following application appeared in the Weekly List of 3rd May 2013:-

- Erection of dutch barn at Backstripes, Drybridge, Buckie.

These were not considered to be of community interest.

### **9. Date, time and place of next meeting**

The next meeting was confirmed as 20th June 2013 at 7 p.m. in the Cullen Community and Residential Centre (TV Lounge).



LOCAL POLICING REPORT

CULLEN AND DESKFORD COMMUNITY COUNCIL  
MEETING ON 18 MAY 2013

1. LOCAL INTEREST INFORMATION

**CULLEN and DESKFORD**

On 1 May 2013 planters were vandalised at Cullen Primary School. The perpetrator has not been identified.

2. FEEDBACK ON POLICE ACTIONS IN RESPONSE TO MATTERS RAISED AT THE PREVIOUS MEETING

None

3. DETAILS OF ACTIONS IN RESPONSE TO LOCAL PRIORITIES

None

4. ONGOING LOCAL/ FORCEWIDE ENGAGEMENT ACTIVITIES

**MORAY FINAL FLING CHARITY DANCE**

On Friday 8 March 2013 staff from Moray Division attended a charity dance to mark the end of Moray Division as it was. It was decided to donate any money raised to a local charity and the nominated charity was The Aila Coull Foundation.

The Aila Coull Foundation, was set up in memory of Aila Coull, who sadly died from a rare form of cancer, Acute Myeloid Leukemia (AML) in September last year aged 18 months.

A raffle was held and together with a donation from the Grampian Diced Cap Appeal a total of £1000 was raised and has since been presented to the Foundation.

**CRIMESTOPPERS**

If anyone has any information relating to controlled drugs or drug dealing, please call the Police Scotland on 101. Alternatively, contact can be made with Crimestoppers on 0800 555 111. Crimestoppers allow information to be passed in relation to any crime or criminal activity anonymously. They can also be contacted via the website at [www.crimestoppers-uk.org](http://www.crimestoppers-uk.org)

**PARENTLINE SCOTLAND**

ParentLine Scotland is a free helpline (08000 28 22 33) and email service [parentlinescotland@children1st.org.uk](mailto:parentlinescotland@children1st.org.uk) for anyone with concern about a child. [www.parentlinescotland.org.uk](http://www.parentlinescotland.org.uk)

**POLICE SCOTLAND**

The Police Scotland are keen to highlight their use of social media and advise the public that our latest news can be found at [www.scotland.police.uk](http://www.scotland.police.uk) and using the <http://www.twitter.com/policescotland> or <http://www.facebook.com/policescotland>

**MORAY COUNCIL LOCAL COMMUNITY WARDEN REPORT**  
**Cullen & Deskford Community Council**  
**16/05/2013**

The information included on this document covers the period from last community council meeting on Thursday 18<sup>th</sup> April 2013 to Thursday 16<sup>th</sup> May 2013 for the Cullen and Deskford area only.

**Local Interest Information**

- There have been 2 anti-social behaviour incidents reported for the attention of the community warden. This includes 1 noise complaint (Dogs barking) and 1 complaint of persons feeding seagulls. Both incidents are being progressed and monitored.

**Dog Fouling**

- There have been 0 incidents created for persons reporting dog fouling to Moray Council.
- There has been a further 1 complaint made directly to the community warden reporting dog fouling.
- The community warden has issued 0 FPNs but has given 1 verbal warning (lack of evidence to issue FPN)
- Hotspot areas targeted for patrols to deter dog fouling are  
Seatown  
Seafield Place  
Playing Fields  
Mercat Cross

**Litter/Fly Tipping**

- There have been 0 incidents created related to litter.

**Initiatives**

- A junior warden scheme has been organised for the Keith area as a pilot. The scheme is aimed at P7 children to learn about anti-social behaviour and the impact this has on their community. An electronic copy of the proposed programme is included with this report.
- A dog poo quiz has been distributed to Cullen Primary school. This quiz is designed for parents/family interaction and will educate on the results dog fouling has on an individual and their community. An electronic copy of the quiz is included with this report

**Feedback to issues raised from previous CC meetings**

**Other**

The community warden continues to work alongside a number of partner agencies to tackle a number of anti-social issues within the Cullen and Deskford area.

Contact details

Andrew Mackie 07800 670 662 .Email Andrew.mackie@moray.gov.uk

24hr Antisocial Behaviour Reporting Line 0800 5877 197

Antisocial Behaviour Office 01343 563322 . Email antisocialbehaviour@moray.gov.uk

Moray Council Call Centre 0300 123 4566

Or

Online Antisocial Behaviour Reporting Form accessed through The Moray Council website.



## QUESTIONS

1. What is the average dog population in the UK?
2. What average weight of dog poo is produced daily in the UK?
3. Who is most at risk from diseases from dog poo?
4. Is the health risk greater or less the longer the poo lies on the ground?
5. When did the Dog Fouling Act (Scotland) come into effect?
6. Why did we need a Dog Fouling Act (Scotland)?
7. How much is the Dog Fouling Act (Scotland) fine in Moray?
8. Who can issue a fine in Moray under the Dog Fouling Act (Scotland)?
9. Where in Moray is it an offence not to pick up your dogs poo?
10. Who is responsible for picking up the dog poo?
11. How and where should you dispose of the dog poo?
12. What diseases can be contracted from dog poo?
13. What can be the result from contracting any of the diseases?
14. A single gram of dog poo can contain how many fecal bacteria?
15. Is it safe to clear up dog poo immediately?
16. Is being unaware that your dog has defecated or not having a suitable device (bags) a reasonable excuse for not removing the poo?
17. Who is exempt from cleaning up after their dogs?
18. What does GDW stand for?

# **Junior Warden Scheme**

## **Programme of Events July 2013**

| <b>Day</b>   | <b><u>Event</u></b>   | <b>Where/Time</b>  |
|--|---|--|
| <b>Day One</b>   |   |  |
|  | Junior Wardens & parents meet the<br>Community Wardens<br>Input from CLD Dynamic Youth Awards                               | 10.00 am – 3.00 pm<br><br>Drop off and collect<br>at Keith Community<br>Centre |
| <b>Monday 8th July</b>   |   |  |
| Fiona Herd<br>CW Betts<br>CW Grant<br>CW Haytack<br>CW Mackie                            | Tour of RNLI station Buckie<br><br>Lunch Provided<br><br>Litter pick with CW Mackie in Buckie                               | (10.00 to 10.45<br>opening presentation<br>for parents/family)                 |
| <b>Day Two</b>   |   |  |
| Tuesday 9 July 2013<br><br>Fiona Herd<br>CW Betts<br>CW Grant<br>CW Haytack<br>CW Mackie | Visit to Elgin Fire Station<br>With Team building skills & CLD input<br><br>Lunch at Fire station<br><br>Update DYA Diaries | 10.00 am -3.00 pm<br><br>Drop off & collect at<br>Loft                         |
| <b>Day Three</b>   |   |  |
| Wed 10 July 2013<br><br>Fiona Herd<br>CW Betts<br>CW Grant<br>CW Haytack<br>CW Mackie    | Visit to Ambulance Depot basic first aid<br>training<br><br>Lunch Provided<br><br>Community Mapping Project<br>CLD          | 10.00 am – 3.00 pm<br><br>Drop off & collect at<br>Loft                        |
| <b>Day Four</b>  |   |  |
| Thur 11 July 2013<br><br>Fiona Herd<br>CW Betts<br>CW Grant<br>CW Haytack<br>CW Mackie   | Visit to RAF Lossiemouth<br><br>Lunch provided<br><br>**Complete DYA Diaries<br>Presentation of certificates.               | 10am – 4.00pm<br><br>Drop off and collect<br>at Loft                           |
|  | Events on the timetable may change due to<br>weather or operational requirements  |  |

\*\* Subject to timings, additional time may be required on Fri 12 July to complete DYA diaries

**Responses from Cllr Cree and Cllr Coull to Questions Posed by Zillah Jamieson (as a Cullen resident)**

**Question:**

**EIA Exercise:** your policy states that "the best information to base decisions on is public consultation, especially with groups that might be affected by the activity." Since neither the toilets nor the libraries formed a specific part of the consultation process in 2012, I am somewhat puzzled by the comment made at the public meeting - if my memory serves me right - that the EIAs currently in process for both the toilets and library will NOT involve a consultation process, rather they will refer to statistical information available. So, as I interpret this, you are going against your own policy guidance as no public consultation will be involved in either of these EIAs. In addition, what statistical information are you going to use in the assessment of the toilets? where is your data coming from for users of these toilets? do you have statistical information regarding those who use the toilets in Cullen? do you have a breakdown of the users of the library by gender, sexual persuasion etc??

**EIA exercise:** I would like to understand why the EIAs were not carried out before the proposed closures were made public - as is contained in best practice; if the EIAs prove that the closures in Cullen cannot take place, then all that has been achieved is months of undue worry and concern for Cullen residents, bad press for Moray Council and its Councillors, and a growing unrest regarding the ability of Moray Council to undertake its duties; so, could you please advise why the EIAs were not carried out first?

**Cllr Cree Answer:** *The extensive consultation exercise that was carried out in relation to the general requirement to make £30 million of savings on our revenue budget was the longest ever undertaken by this authority and was, I believe, a genuine attempt to discuss the gravity of the situation facing us without following a prescriptive agenda that may have been seen to steer future decisions.*

*At a meeting of the Cullen and Deskford Community Council last summer I gave an early indication of the forthcoming consultation process and encouraged members of the Community Council to support the consultation and to use the opportunity to make their views known. I believe that I explained then that it was a priority setting exercise which was designed to underpin future decisions on which services were to be protected and which, in the view of the communities, may have to be curtailed. Consequently I was disappointed that this opportunity was not taken up by the Community Council or the community to any great extent.*

*The EIAs are, by their nature, specifically designed to measure the impact on any proposal on specific classes of users prescribed by legislation. As you know, this work is ongoing and we need to await the outcome to determine whether the EIA will recommend measures to be taken to mitigate any equalities impact that may arise.*

*As the consultation exercise lay at the heart of the Council's proposals in terms of determining the priority given by the public to our services, it was necessary to conduct the EIAs at a stage when such proposals had clearly emerged. I agree that, in many ways, it would be appropriate to have EIAs carried out in advance of such proposals however this could have been viewed as seeking to justify our actions rather than evaluating their true impact once the proposals are known.*

**Cllr Coull Answer:** *Point 1 above is a fairly technical question which I will need to refer to the Equalities Officer, Don Toonan. I will get a response for you.*

*Point 2 above is really a matter for the Administration given that these were proposals from them in their budget.*

**Response from Equalities Officer:** *"With regards to the libraries the comment made is incorrect. The recommendation that was put to full council was that the EIA on the libraries could not be completed without consulting the affected groups. I have been working with the Community Support Unit to develop a*

*consultation strategy which will involve library users covering the protected characteristics of age (elderly, 0-3, pre-school, school age, post school to retirement), disability (mobility, visual and sensory impairment, learning disability, mental health, autism, housebound), race, pregnancy and maternity, sex. These have been chosen on the basis of statistical analysis carried out so far. There have been no indications that sexual orientation or gender reassignment fall into the category of affected groups, but I have contacted Stonewall Scotland and North East of Scotland Transgender group to ask for advice in order to ensure that we don't overlook these protected groups. We shall be using a range of methods, including focus groups, online surveys and one-to-one questionnaires in all affected libraries including the mobile libraries. We hope to complete this process by the end of June. In addition we shall also consult with Jobcentre Plus and Skills Development Scotland to gauge the impact in relation to the welfare reforms.*

*We have also received a large number of correspondence in relation to libraries and toilets and these will be fully analysed and taken into account as part of the process.*

*In relation to the public toilets, I have already consulted with the Older Persons Reference Group and have received correspondence relating to protected groups such as elderly, pregnancy and maternity, sex and disability."*

**Question:**

**EIA exercise:** I would also ask for clarification on the following statement: "The Public Sector Equality Duty goes beyond eliminating discrimination: there is also a positive duty to promote good relations between the various groups in the community. This is something that should be considered when conducting public consultations on issues which clearly affect particular groups." Do you believe that Moray Council has fulfilled this part of its Equality Duty given the trauma that Cullen is currently experiencing?

**Cllr Cree Answer:** *With regard to "public consultations on issues which clearly affect particular groups" there is no doubt that any proposal to reduce services will adversely affect the relations between the Council and the community. This is unavoidable however the proposals are general and not intended to affect any particular group. It is through the EIA that the impact on "particular groups" will be measured.*

**Cllr Coull Answer:** *This would be part of the EIA.*

**Question:**

**What is the justification for continuing with the substantial costs involved in the Elgin bypass road,** when this expenditure could be used to ensure that the whole of the county continues to be an attractive place to visit? please be assured that tourist visitors to Moray do not come to go to Elgin; they come to visit the smaller coastal and inland towns such as Cullen, Lossiemouth, Forres, Tomintoul, Dufftown etc. In my 6.5 years in tourism in Moray, I can count on the fingers of one hand the number of my guests who even mention Elgin.

**Cllr Cree Answer:** *In relation to your references to the "Elgin bypass road" I should point out that the Western Link Route is not, and never has been, intended to produce a bypass for Elgin. It is a measure that has been included in the Moray Local Plan since 2000 and is designed to provide strategic access to areas zoned for development within Elgin. As such it is funded from the capital budget in the same manner as projects such as the flood alleviation schemes in Rothes and Forres and the provision of sites for economic development throughout Moray. The Elgin Western Link Route is critical to the long term development plans in that area and, for that reason, I have no difficulty in supporting the need to invest for the future just as we have done elsewhere on other major projects.*

**Cllr Coull Answer:** *I agree that the link road project should be scrapped in this economic climate however a vote has been taken on this and it was decided, by majority, that it continue.*

**Question:**

**There are many industries in Moray;** and of course we all know the necessity for Moray to diversify to ensure that the county is not overly dependent upon one sector; I can only speak about tourism in which I am involved - not just as the proprietor of a tourism business, but also as a Director of Banffshire Coast Tourism Partnership and the Chair of Cullen Voluntary Tourist Initiative; the Moray Firth is recognised by National Geographic as one of the Top 18 coastline destinations in the world; not only that but some of the comments from the panel who made this judgement stated:

"A popular vacation spot for more than a century, this coast offers 'outstanding cliff scenery' and maintains 'a strong community feeling.' Seasonal and year-round residents appear to live in relative harmony. Tourism keeps 'pretty coastal villages' economically afloat as Scotland's fishing industry declines."  
"A wonderful region of Scotland. Beaches are fantastic, and the area welcomes visitors as one of their own. Largely rural. People work together for the greater good—fishermen tolerate canoeists; farmers allow walkers to pass over their land on footpaths, etc."  
"An undiscovered gem with pretty coastal villages, excellent beaches, and outstanding cliff scenery."

Please note the emphasis on strong community feeling and tourism keeping pretty coastal villages economically afloat. In addition, Cullen has once again been awarded a beach award.

The coastline is one of Moray's key strengths, along with the Speyside and the Malt Whisky Trail; Moray Council's plan is seeking to destroy the very ethos of what makes these two particular assets not just Moray assets, but also Scotland assets and world assets.

If the toilets are closed, I would be grateful for your input on how we word our promotion of the Moray coastline in future. For your information, I have attached a copy of a marketing flyer produced by the Banffshire Coast Tourism Partnership - to highlight what we have along this coastline.

If the library is closed, we will be unable to attract young families to come and live in Cullen; young families come here because of the facilities available within walking distance - young families who help to keep local businesses afloat during the quieter winter months.

**Cllr Cree Answer:** *I appreciate your keen interest and valuable contribution towards promoting the Banffshire coast as a tourist destination and note what you say regarding the impact that the current proposals may have on this.*

**Cllr Coull Answer:** *I don't believe that the toilets should be closed. I don't believe that the library should be closed.*

#### **Question:**

**What percentage of the required savings is represented by cuts in administration costs and/or efficiency savings?** Have you considered consulting with the residents of Moray for their suggestions on how savings could be made, or efficiency increased? We as residents see Moray Council staff going about their daily business; we also hear of too many incidents of wasted money and staff not working diligently; e.g. newly-laid pavements having to be dug up again because someone forgot to order the new lampposts; this sort of incident can only contribute to the resentment being felt at cuts to essential frontline services.

**Is anything being done to improve the efficiency of the Moray Council,** including ensuring that staff are working efficiently and diligently, and making the most of the resources they have?

**Cllr Cree Answer:** *With regard to the question relating to efficiency savings, this is a matter that was exhaustively covered during the consultation exercise when communities were asked for their suggestions on how savings could be made or efficiencies increased. Since I was elected in 2007 the Council has undertaken an efficiency programme which has resulted in cash savings of £11.31 millions. These savings have all been reflected in reduced budgets and do not include non-cash efficiencies which would produce a higher figure. Last year, if we included non-cash efficiencies, these measures amounted to savings of*

£4.48million, or 2.3 % of our Budget. If you have any specific examples of “staff not working diligently” then perhaps you would let me know in due course.

**Cllr Coull Answer:** Efficiencies should always be looked for and the designing better services (DBS) project continually looks at this. In terms of consulting residents, to be fair to the Council, there was a consultation exercise just carried out asking for people’s opinions on that. DBS project is just one aspect but managers are required to continually seek efficiencies.

**Question:**

**Has serious consideration been given to declaring Moray Council a non-viable entity**, and splitting up the entity between neighbouring Councils? if Moray Council were a private sector entity, it would have been declared bankrupt before now, or certainly recognised as not meeting its core objectives; if the Moray Council continues as is, then Moray will become a ghost county, far less Cullen a ghost town; if serious consideration has not been given to this, why not?

**Has serious consideration been given to a reduction in the number of locally elected Councillors?** if not, why not?

**Cllr Cree Answer:** Your comments on the viability of the Moray Council and its future structure are noted however the establishment of local Council boundaries is a matter for the Scottish Government as is the scheme determining the number of Councillors serving in each ward. You will, I know, be well aware of my personal misgivings regarding the establishment of multi –member wards so I will not rehearse these on this occasion.

**Cllr Coull Answer:** This is a matter for the Scottish Government and they have said that there will be no reorganisation during this Parliament. Reorganisation does come with a cost and it’s a balance as to whether or not it would actually be financially beneficial. I agree that it is something which is going to have to be at least investigated soon given what could be achieved in terms of economies of scale. Shared services with other authorities needs to be pursued much more vigorously. Again this (reduction in the number of locally elected Councillors) is a matter for the Scottish Government.

**Further comments from Cllr Cree:**

I would, however, reiterate that, in commercial terms, the Moray Council has to face a rising demand for our services brought about by changing demographics which place huge demands on our social care and education budgets. Against this we face a decline in resources over the next 4 years which cannot be ignored and will have to be dealt with in the same way that every other business does in these particularly difficult times. Unfortunately, the only answer is contraction and this will impact on both the range of services we provide and the number of staff we can employ on providing such services. Any suggestions regarding specific services which you feel should be reduced would be most welcome.

Thank you for taking the time to respond to my invitation at our recent meeting and I will ensure that the points that you have raised are passed to our equalities officer so that they can be taken into account as part of the EIA.