

**Cullen & Deskford Community Council
Meeting on Thursday 26th January 2012
6.40 p.m. in Cullen Community and Residential Centre**

MINUTES

- Present:** Ashley Mowat (Chair)
Malcolm Watt (Vice-Chair)
Zillah Jamieson (Secretary)
John Aitken
- In Attendance:** PC Barry Corbett/PC Charlene Robertson
- Apologies:** Jim Mackay (Treasurer)
John Robertson
Adrian Sandison
Jackie Stevenson
Colleen Walker
Cllr Gary Coull
Cllr Stewart Cree
Cllr Ron Shepherd
Linda Adam

1. **Presentation of Certificates of Achievement:** Prior to the commencement of the meeting, the Chair presented Certificates of Achievement to Mary Brown, Bill Findlay and Joe Mowat. Photos were taken by the Banffshire Advertiser and the Banffshire Journal.

2. **Welcome and Apologies**

The Chair welcomed attendees to our 25th meeting of the new term.

Apologies were noted as above.

3. **Minutes of Previous Meeting (24th November 2011)**

The Minutes were approved as a true record.

4. **Reports**

4.1 **Police:**

The Secretary advised that Sgt. Craig Stuart is now based in Fochabers Police Office (effective 08/01/12), and that Sgt. Gail Grigor and PC Debbie Price will now be our local points of contact. The Secretary had written to Sgt. Stuart (08/01/12) thanking him for his diligence whilst in post and wishing him well in his new role.

Police: The latest Local Policing Report was not available; PC Corbett undertook to provide this as soon as possible. The only incident that PC Corbett could report on related to the unlawful driving of a car around the Seafield Estate late at night. He confirmed that the harbour is patrolled regularly, with no incidents having been reported recently. As previously discussed, improved lighting at the harbour would be preferable to deter any further incidents.

John Aitken raised concerns regarding the speeding traffic coming into Cullen from the south; speeding surveys have been undertaken over the last year at both the north and south entries to the town, the downside of them being the statistics presented as averages; this does not reflect the individual cases of speeding which could prove fatal. PC Corbett explained that the North East Safety Partnership is in charge of cameras; however, they focus on designated areas based on previous accidents and/or fatalities. Their remit is accident prevention, not catching speeding drivers. A request was made for the Traffic Division to monitor the area with a "gun".

Immediately following the meeting, PC Corbett provided the following report (in the absence of a formal Local Policing Report):-

In the months of December/January there were reports of:-

- a theft from a garden in Seafield Place - so far undetected
- a vandalism at Binview Terrace - enquiry ongoing
- 2 separate assaults - one detected, one which will be detected shortly; and
- a dog dangerously out of control - enquiry ongoing.

He also confirmed having sent a message to his Roads Policing colleagues raising our concerns regarding speeding on the A98, entering the town from both directions.

Mobile Police Surgery: The Secretary confirmed that she had arranged for notices to be put up in the Library, Post Office, Deskford Halls and Town Hall Noticeboard. The Secretary advised that PC Mairi Page had requested (15/01/12) details of any events held in our area which may benefit from the Grampian Police Mobile Office. Further dates for the Mobile Police Surgery will be advised in due course.

4.2 Local Councillors

The Chair had had conversations with both Cllr Coull and Cllr Shepherd regarding the harbour and the Lawtie Trust; these are reported in Items 11.2 and 11.5.2. respectively.

4.3 Treasurer

In the Treasurer's absence, the Secretary advised that the bank balance as at 25th January 2012 stood at £4,773.61, with outstanding payments of £1,375.60 for the Crannoch Hill Path and £92 for the Deskford flowers. Payment of the Hall Hire for the Ceilidh in July had now been made.

The Secretary confirmed that we had received a contribution from the Seafield Estate (Reidhaven Trust) of £400; the Secretary sent a letter of thanks (09/12/11), enclosing a copy of the Chair's Report from the AGM to bring Mr Lewis, Chief Executive, up-to-date with our activities.

The Secretary reported that sales to date of the 2012 Calendar amounted to £2,552.25 (total of 707 in number), with a further 19 in retail outlets for sale. This gives a total income thus far of £3,312.25 (against an expenditure thus far of £1,810.70) - leaving a surplus of £1,501.55. It is unlikely that there will be further sales at this point, and there are some outstanding monies to collect (included in the above totals).

The Secretary undertook to write to all those selling the calendars to thank them for their support of the project and to advise of the funds raised for community projects. A press release emphasising the current photo competition and the closing date would be prepared, with comment made on the success of the 2012 calendar project. In addition, the Vice-Chair and Secretary undertook to dispose of the remaining calendars to worthwhile causes.

ACTION: Malcolm Watt/Zillah Jamieson

ITEMS FOR DISCUSSION

5. Community Asset Transfer

The Secretary confirmed having submitted the Expression of Interest form (07/12/11), acknowledged on the same day by Martine Scott. An initial meeting was then held with Linda Adam, Community Support (10/01/12) at which representatives from the Community Council provided answers for a standard proforma. This information was subsequently transcribed into a report (amended and approved 17/01/12) which went before the Moray Council Community Asset Transfer Team (18/01/12) which meets monthly usually, but this can vary, depending on demand.

Martine Scott advised (18/01/12 - acknowledged by Secretary 19/01/12) that, based upon our recent submission, the next step of the process will be a report to the Policy & Resources Committee of the Council on behalf of the CAT group (this should be at the end of February). The report will most likely recommend a decision in principle to go ahead with our proposal. This decision is taken by elected members only. This will then mean that we can start to consider the business case and feasibility study. It will be possible to watch this report being discussed live on the Moray Council's webcast (please see home page of the council's website if you wish to view).

Martine also advised that we would be shortly receiving an invitation for representatives of our group to attend a seminar on either 19th or 20th March. The Council will be inviting all interested parties who are in a similar position to collectively learn about the Council Community Asset Transfer processes with experts from DTAS, Business Gateway and internal staff. Places will be limited to only those people who are at stage one of the process. She is finalising arrangements for this (as at 18/01/12). It was agreed that no further action was possible until confirmation of the decision in principle at the end of February; thereafter, work would commence on expanding the team and pulling together the feasibility study and business plan.

The Chair advised that he had attended a Heritage Group Committee Meeting, at which he talked in general terms about the Community Centre building, and the potential opportunities for both the Heritage Group and Cullen Voluntary Tourist Initiative - as well as other groups with similarity of purpose - to work together. Through the process of investigating asset transfer, a group of representatives from all of the user groups would be required. The Heritage Group Committee indicated positive support for the project.

During the course of the last few days, the Chair had received a copy letter from the Heritage Group to the Acting Chief Executive of the Moray Council expressing their concern that they had not received a response to their previous requests to have use of the Memorial Hall during the summer months. The Chair undertook to write a short letter of support to Moray Council (copied to the Heritage Group and the Tourist Initiative), urging Moray Council to support voluntary contributions to the community.

ACTION: Ashley Mowat

6. Cullen Medical Centre

The Chair advised the meeting that he had received a response to his letter of 16th September 2011 to Ken Hamilton (Ken Hamilton's letter dated 21st December 2011 received on 10th January 2012). Ken Hamilton confirmed that the Moray Community Health and Social Care Partnership had intimated its support for a dual-centred approach in previous correspondence and that the Partnership is working with the practice to ensure that provision of medical services in both centres is assured for the future. He also indicated that it is essential that local views are taken into account and suggested that the way forward for this issue would be to have a representative from the Partnership and the Seafield and Cullen Medical Group to attend a Community Council meeting.

The Chair had responded (10/01/12) welcoming this suggestion and inviting the representatives to attend either our January or February meeting. Ken Hamilton had now indicated that he would personally attend our next meeting in February 2012.

Information on the meeting between the 3 ward members and a representative of the Health Board is still awaited - with no update having been received from the 3 Locally Elected Councillors.

ACTION: Ashley Mowat/Cllr Shepherd

7. Cullen Common Good Fund

The Secretary confirmed that, following various dialogues with both Eleanor Rowe (Records Manager) and Graham Wilson (Archivist) (29/11/11), it had been confirmed that the only items which Moray Council holds are the Minute Books and the Abstracts of Accounts - neither of which will have the level of detail required. For information, there is a copy of the abstracts of accounts from 1980 - 1984 shelf reference 352.12 in the reference library section at the LHC. This has been catalogued onto the library catalogue as a reference book rather than as an archive onto Libindx. This copy is available for our inspection.

A further communication from Eleanor Rowe (06/12/11) indicated the following: "I think that the only official financial records the LHC will have retained as part of the council archive will be the abstract of accounts - being the yearly financial oversight of income and expenditure which includes a section on the common good accounts. These record the yearly activity on the accounts including opening balances, income, expenditure, for both capital and revenue accounts and breaking it down into heritable property, feu duties, loans, investments, debtors and stocks and consolidated loan funds. It amalgamates this into a yearly sum, so it is difficult to identify individual payments which I think is what you are seeking.

It is therefore unlikely that there will be any records surviving which are detailed enough to help with your enquiry. I have double-checked with Aberdeen City Archives who hold GRC and some MDC records but they also do not have anything which will help. I had already checked with the finance department of Moray Council and they also do not retain historical records. Just to avoid any future confusion I reaffirm that I do not hold any separate records – the council only operates one archive service and this is based at the LHC with Graeme Wilson as the local heritage officer."

The Secretary acknowledged this communication (06/12/11) and thanked Eleanor very much indeed for all her endeavours on our behalf.

A phone conversation with Gordon Smail of the Audit Commission (29/11/11) indicated that the "Common Good Fund issue" is common across Scotland, but more associated with Councils not recognising which properties/assets belong to Common Good Funds.

He found it refreshing - and seemed impressed - that Moray Council have taken the action they have in flagging up the properties (albeit at our instigation) and that they have taken corrective action to credit backpayments to 1996. He was very pleased that the ownership of the properties is not in dispute. However, he found it difficult to see what the Audit Commission could do to help with something as old as pre 1996, especially as the Audit Commission do not have the powers to require Councils to make changes to their accounts - and certainly not as far back as we want. The Audit Commission generally has a 3-year cut-off.

He also indicated that he could not see the Audit Commission being able to justify the commitment of public resources to such an investigation. His understanding also was that Councils would be required to hold financial records for 6/7 years only, and purely to ensure that they were able to respond to any approaches from HMRC re VAT.

The only constructive suggestion he could make was to negotiate with the Moray Council for additional payments into the Cullen Common Good Fund on the basis of best endeavours - as there would be no financial records to prove what the payments should have been. If we want the Audit Commission to do something, we would require to put our request in writing. Gordon Smail was unable to recommend any other agency to which we could refer this issue.

Following discussion, it was agreed that we should write to Moray Council asking them to consider an ex-gratia payment for the years 1975 to 1996 proportionate to that paid for 1996 to 2011.

ACTION: Zillah Jamieson

Whilst recognising that decisions on disbursements from the Cullen Common Good Fund were the role of the 3 Locally Elected Councillors, concern was expressed that, contrary to previous reassurances, the Community Council had not been asked for their input into the recent decisions. The Community Council were very grateful for their award for the Crannoch Hill Path, and also acknowledged the award to the Cullen Dirt Cycle Track Group which is now a separately constituted body. The Secretary undertook to write to the 3 Locally Elected Councillors re the concerns expressed.

ACTION: Zillah Jamieson

8. **Cullen Summer Festival:** it was agreed that the Community Council should participate in the Festival, with further discussion to take place on Monday 30th January 2012 at the inaugural Festival meeting.

9. **Planning**

9.1 **Aultmore Wind Farm**

There was nothing further to report.

ACTION: John Robertson/John Aitken

9.2 **Beatrice Offshore Windfarm**

There was nothing further to report.

10. **A.O.C.B.**

- 10.1 **Cullen Town Hall Flag:** The Treasurer had advised by e-mail that he had not yet ordered the new flag, but would do so shortly.

ACTION: Jim Mackay

- 10.2 **Purchase of snow clearing equipment:** Discussion was held on a suggestion from a Cullen resident that we should investigate the purchase of a smallish piece of equipment which will assist in the clearance of snow etc; it could also be helpful for watering flowers during the summer. All present supported the idea in principle, but remained unconvinced of the practicalities involved.

- 10.3 **Queen's Diamond Jubilee Weekend:** The Secretary confirmed having e-mailed all Community Councillors (22nd December 2011) forwarding a communication from Cllr Cree regarding the potential availability of funding from Moray Council for a community event during the Queen's Diamond Jubilee Weekend. Specifics were required early in January 2012 in order to be included in the Corporate Services Director's report scheduled to go to Council on 19th January 2012. Cllr Cree had also promised to contact the Secretary early in January to discuss this further, but had not done so. It was agreed that it had been too short a notice period to be able to take advantage of this opportunity.

- 10.4 **Queen's Diamond Jubilee Weekend - letter from Deputy Lieutenant of Banffshire:** The Secretary confirmed having received a letter (06/01/12) from the Deputy Lieutenant of Banffshire - attached as Appendix 1. Subject to agreement from the meeting, the Secretary and Chair had responded positively to the suggestion (14/01/12) - acknowledged 16/01/12. It was agreed that we should confirm our support for this proposal, with further discussion to take place on the type of tree and the best location.

ACTION: Zillah Jamieson/All

- 10.5 **Consultation on Proposed Changes to the Maternity Service in Grampian:** The Secretary confirmed having received these consultation papers; comments require to be submitted by 22nd March 2012. The Chair undertook to review the papers and submit comments as appropriate; he had already written some months ago to express concern on the composition of the group managing this consultation.

ACTION: Ashley Mowat

10.6 Variation to Alcohol Licence - Co-operative, Grant Street, Cullen:

The Secretary had circulated to all members (12/01/12) the application from the Co-operative to modify their licence as a result of forthcoming refurbishment of the store; this refurbishment would result in 20% increased capacity for the display of alcoholic products. Any objections require to be lodged by 2nd February 2012. Concern was expressed regarding this variation given the current climate in which measures are being pursued to limit alcohol abuse. Those present also felt however it is not our role to make representations regarding this application. It was agreed that the Secretary would write to all licensed premises in Cullen to advise them of this application in the event that they may wish to make representations.

ACTION: Zillah Jamieson

10.7 Litter in Cullen: The Secretary had received an e-mail from a resident of Cullen expressing concern regarding the increased amount of litter around the town; he had also expressed his willingness to join any volunteer group to rectify this. The Secretary also expressed her concern regarding the increasing amount of dog mess on pavements. It was agreed that we should request the dog wardens to "do a blitz" on Cullen and invite them to report personally at our February meeting. In addition, the Secretary undertook to write to Mike McRitchie of the Criminal Justice Services Unit to request their help on specific sites in Cullen.

ACTION: Zillah Jamieson

10.8 Children's Panel: The Secretary confirmed having received a letter from the Moray Children's Panel Advisory Committee indicating that they are looking to recruit panel members. The Secretary undertook to display the poster in Cullen Library. Information evenings are being held in Elgin (Council Chambers) on Thursday 2nd February, Tuesday 7th February and Tuesday 14th February 2012 (all at 7 p.m.).

ACTION: Zillah Jamieson

11. ITEMS FOR NOTING/DISCUSSION BY EXCEPTION

11.1 Local Policing Update: This is unavailable this month.

11.2 Cullen Harbour Association Report: The Vice-Chair indicated that a meeting of the Cullen Harbour Association will take place in February, sometime after the 14th. The Chair gave details of his conversation with Cllr Coull, to the effect that the sum of £4.1 million set aside for Moray Harbours (as indicated in the press) is a 10 year programme, with relatively small sums in the first 2 years, but then larger sums available later in the programme. It may be that a large proportion will go towards Buckie Harbour and a new dredger (£2 million set aside for the latter); nevertheless, there will be sums available for maintenance of the harbours, and a request has been submitted by the Vice-Chair for a meeting of the Harbours Advisory Group before the May election. The Vice-Chair commented on an enquiry for a berth at Cullen harbour which had come through the community website.

11.3 Cullen & Deskford 2013 Calendar: In addition to the press coverage received prior to the November 2011 meeting, the launch of the photo competition was featured in the Banffshire Advertiser (13/12/11). 3 entries have been received - but it is early days.

It was agreed that we would approach potential sponsors in early March and that we would request a quote for production from MMS Almac by 20th February 2012.

ACTION: Ashley Mowat/Malcolm Watt/Zillah Jamieson/Jackie Stevenson/Colleen Walker

11.4 Cullen Dirt Cycle Track:

In Adrian's absence, the Secretary reported that the funding awarded from the Cullen Common Good Fund (£2,000) had been released (14/12/11); this means that there is sufficient funds already in the bank to construct the track. A close eye is being kept on the weather; if favourable, work will commence towards the end of January.

More recent fundraising successes and funding awards have included:-

- £61.20 raised through the sales of toffee plus a raffle for a doll
- A further £191 raised through the raffles for the picture and go-kart (winning tickets drawn before Christmas)
- £470 from the raffle of an I-Pad
- £500 from the Grampian Police Community Initiative Fund.

A press release is to be prepared.

This gives a total of just over £8,500 raised. The results of funding applications to the Buckie Area Forum, Postcode Trust and the Co-op Community Fund are awaited.

ACTION: Adrian Sandison

11.5 Items Awaiting Action/Confirmation of Actions Taken

Awaiting Action:

11.5.1 Bus Shelter North Side Castle Terrace Seatown: The Chair reported on a recent conversation with Peter Findlay who had confirmed that the new bus shelter remained very high on a list of probables. The materials were awaited, and it was thought probable that the site of the bus stop would require to be moved further to the west.

ACTION: Ashley Mowat

11.5.2 Lawtie Trust: The Chair advised that he had spoken with Cllr Shepherd regarding the meeting which was requested some time ago on this topic; the Chair indicated that he will write to the Convener personally should the meeting not be forthcoming in the near future. The Moray Council solicitor responsible for the Lawtie Trust has changed, and a communication was received advising us that he would keep the Community Council up-to-date with how they plan to market the land. The Chair had made the point in response that this is appreciated, but does not deliver the meeting requested. The Chair will pursue this vigorously.

ACTION: Ashley Mowat

11.5.3 Beach Awards: The Secretary confirmed that she had discussed the absence of Moray from the Beach Awards (20/01/12) with a representative from the Moray Tourism Forum who undertook to take this forward.

11.5.4 Logie Head Path: Attempts continue to have this matter resolved by Aberdeenshire Council. It was noted that ACSEF, as part of its Energetica project, aims to improve and link the existing coastal pathways running between St. Cyrus in the south to Logie Head, just east of Cullen, in the north. This may be the way forward. The Secretary undertook to raise the matter at the forthcoming Banffshire Coast Tourism Partnership committee meeting.

ACTION: Zillah Jamieson

11.5.5 Cullen Burn Footbridge Path: The Secretary confirmed having contacted Ken Kennedy (01/12/11) regarding the "lake" at the end of the new bit of path which was very evident on that day. Following an inspection of the location, Ken Kennedy advised (5/12/11) that a low area would benefit from some quarry material being imported to build it up; he undertook to arrange for this to be done when conditions allow. The work was undertaken in December.

11.5.6 Young Members: The Vice-Chair confirmed the next meeting on 8th February 2012 at Buckie High School.

ACTION: Malcolm Watt

Confirmation of Actions Taken:

11.5.7 Community Website: The Secretary reported that work continues to ensure that the Community Website is kept up-to-date. There are now 71 subscribers to the Newsletter. The Secretary undertook to post information on the Certificates of Achievement, to examine the statistics available on Google Analytics and to send the data collection form to John Aitken for two new businesses in Deskford.

ACTION: Zillah Jamieson

11.5.8 Press Release 2011: The Secretary confirmed having issued a press release (08/12/11) based on the Chair's Report from the AGM. Press coverage was achieved in: Banffshire Journal (13/12/11), Northern Scot (06/01/12) and Banffshire Advertiser (17/01/12).

11.5.9 Debris in road opposite Chinese Takeaway: In response to a phone call from a member of the community, the Secretary confirmed having contacted Keith Stratton, Roads Department (09/12/11) to advise that some debris from a garden wall was lying in the road, and could cause damage to passing traffic. Keith Stratton referred the matter to the Roads Maintenance Department (09/12/11); barricades were subsequently placed around the debris, and the top of the crumbling wall removed to avoid future problems.

11.5.10 Cullen Burn Estuary: The Secretary confirmed that, having been advised by a number of local residents that the footbridge was almost submerged, she contacted Ken Kennedy (Land and Parks Manager - 01/12/11) who contacted the flood alleviation team who have in the past cleared the shingle away. The team undertook to inspect the site and advise accordingly. Ken Kennedy advised (02/12/11) that the flood alleviation team had passed an order to have the burn mouth cleared, and the work was undertaken in December.

11.5.11 Crannoch Hill Path: The Chair reported that the work to create the extension to the Crannoch Hill Path had been undertaken in December 2012. The bill for the works is awaited. It was agreed that we should ensure that the path has been constructed to the promised specification before making payment.

ACTION: Zillah Jamieson

11.5.12 2012 Meetings/Venues: The Secretary confirmed having booked the Cullen Community and Residential Centre (TV Lounge) for the 2012 meetings, with the exception of May when the meeting will be held in the Deskford Jubilee Hall. All appropriate documentation has been revised, issued and displayed.

11.6 Planning - Weekly List

The Weekly List dated 30th November 2011 included:-

- Remove storm damaged chimney and roof slated and vented at 24 The Square, Cullen

The Weekly List dated 9th December 2011 included:-

- Minor alterations to disused mill store to form a display and sales area within a family studio pottery at Ardoch Mill, Deskford

The Weekly List dated 7th January 2012 included:-

- Alteration to existing dormer installation of new dormer in place of rooflight and replacement of two existing rooflights and alteration to existing roof to front porch at Woodside Croft, Drybridge

The Weekly List dated 25th January 2012 included:-

- Extension to rear of house at 19 Lower Blantyre Street, Cullen.

None of these were deemed to be of community concern.

12. Date, time and place of next meeting

The next meeting was confirmed for Thursday 23rd February at 7 p.m. in Cullen Community and Residential Centre (TV Lounge).

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6 January, 2012

Mrs Zillah Jamieson
Secretary
Cullen & Deskford Community Council
Norwood
11 Seafield Place
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Dear Mrs Jamieson

Her Majesty The Queen's Diamond Jubilee - 2012

I am writing on behalf of Mrs Clare Russell, Lord Lieutenant of Banffshire with regard to a possible project to mark the Queen's Diamond Jubilee in 2012.

To commemorate Her Majesty's Diamond Jubilee, it has been suggested that a tree is planted in as many towns and villages in Banffshire as is possible as a lasting legacy of this very special year.

I have been in contact with the Convener of Moray Council, who has given his support to the project. All the Councillors with Wards in Banffshire have also been informed. The intention is that we liaise with Community Councils/Associations to assess how best to proceed with those in favour of this proposal.

The most important consideration at this stage is find out how many Communities would like to be involved. I would therefore be most grateful if this idea could be discussed by the Community Council as soon as possible.

I look forward to hearing from you with the Community Council's decision.

Yours sincerely



Patricia Seligman DL