

Dyke Landward Community Council

Draft Minutes of Meeting

Wednesday 3 February 2016 at 7.30pm in Dyke & District Community Hall

1. Present

Carol Shaw (Chair) (CAS), Alistair Sutherland (Vice-Chair) (AS), Steve Arkley (Treasurer) (SA), Arnold Boyle (AB), Jane Foster (JF), David Shaw (DS)

In attendance

Christine MacLeod (Secretary) (CM) [for items 1—11], Cllr Anne Skene (TMC) (CllrAS), PC Douglas Darling (Police Scotland) [for 1--2], PC Samantha MacLeod (Police Scotland) [for 1--2], Matt Nichol (MN) [for 1—5a].

Apologies

John Bonsall (Youth Rep)

2. Police Report

PC Darling spoke to the pre-circulated report: in the 2 months since 2 December 2015 there had been 3 reported crimes in the DLCC area, i.e. 2 thefts and a road traffic offence. Two crimes had been detected and enquiry continues into a theft of money from insecure residential premises in the Dyke area. He encouraged anyone with concerns, e.g. speeding motorists, to contact Police Scotland [0800555111 or in person at Forres police station]; also if there was a persistent, unresolved problem with mud on local roads, but in first instance approach individual farmer and then, if not satisfied, Moray Estates.

3. Visiting Speaker

The expected speaker from Network Rail failed to appear.

4. Minutes of Last Meeting

Minutes were agreed to be an accurate record, and were signed off by the Chair.

5. Matters Arising from the Minutes

(i) Fast-food Van at A96 lay-by. MN wished to know why DLCC had such an issue with his snack-bar at Brodie; he'd had visits from several agencies, and been closed down by Transport Scotland, at the cost of 6 weeks' income. **CAS:** DLCC's concern is simply that, as far as we know, he does not have planning permission to trade from the lay-by. **MN:** claimed to have applied for planning permission. **AS:** the issue was independently raised by Transport Scotland's representative, during their site visit in April 2015, as a potential safety hazard. **JF:** Church of Scotland is trying to sell the nearby manse, the price of which is reduced by the van's presence in the lay-by. **CllrAS:** Transport Scotland had brought the van to the Moray Council's attention,

and it was now for TMC to decide whether it could be sited there legally or not; they would first need to do a road traffic survey.

Action: CllrAS will find out from TMC about MN's application for planning permission.

(ii) A96. CAS welcomed the partial success of DLCC's campaign to improve safety on the A96 through Brodie, with Transport Scotland's announcement that the 50mph limit will be extended at both ends of the village. AB: pressure still needs to be maintained to achieve the limit's reduction to 40mph, street lighting and a safe pedestrian crossing point.

(iii) Mud on roads in Conicavel and to the north of Dyke. AB: received a reply (28/01) from Bill Ross (TMC, Transport Dept), promising action in response to his complaint. CAS: the problem is widespread throughout the area, mainly because of tractors; some farmers are better than others at cleaning up. See PC Darling's advice (item 2, above).

(iv) Kintessack speed limit. CAS: no further information had been received on this issue. AS: the width of the road through Kintessack will need addressing if further development goes ahead; even if it's just 3 houses at a time.

(v) Forres CC's invitation to its meeting & social, 17 Dec. CAS: she had attended with DS and AS, and had been struck by the greater formality of the Forres CC's meeting. CllrAS commented on the different cultures of the 3 community councils in west Moray, and encouraged DLCC also to visit Findhorn and Kinloss CC.

6. Treasurer's Report

SA reported the balance in DLCC's account to be £1,592.31. December's grant from TMC had been received. He reminded councillors to claim their expenses; necessary equipment could be purchased out of the grant.

7. Cromarty Port Authority's plans for ship-to-ship oil transfers in the Moray Firth

CAS has drafted a letter to protest the CPA's proposal, pre-circulated to councillors for their approval. In her individual capacity, she has also launched an online petition, which has nearly 3,000 signatures. DS outlined the potentially grave impacts of even a small oil spill on the Moray Firth, to the detriment of both its wildlife and its tourist industry. Following some discussion how best to proceed, the Council agreed to oppose the CPA's plans.

Action: CAS to submit both letter and petition to the Maritime and Coastguard Agency and to Richard Lochhead MSP on behalf of DLCC.

8. Correspondence

The following items had been received by the secretary and circulated to DLC councillors prior to the meeting (to 29/01/16):

tsiMoray bulletin (28/01, 03/12)

Pam Gowans, CEO Moray Health & Social Care Partnership (arrangements to speak at April DLCC meeting)

Moray LEADER LAG, 2014-20, applications deadline 12 Feb. (Alastair Kennedy)

Public meeting with CEO ScotRail Alliance, Elgin 1 Feb. (A. Kennedy)

Healthpoint Review meeting, Elgin 4 Feb. (A. Kennedy)

Participatory Budgeting working group membership, by 8 Feb. (A. Kennedy)

Scotland Bill – Local Government, briefings (Scotland Office)

Community Councils Administration Grant, reminder of terms (Jane Martin)

Landfill Communities Fund, newsletter (ENTRUST, via J. Martin)

Social Enterprise & Enterprise Community Organisations -- Events (tsi Moray)

Planning permission, Muirside Farm, Brodie (Lorna Ross (2), David Shaw)

Community Councils website, reminder (J. Martin)

Pain relief clinic to re-open, Dr Gray's, Elgin, in Feb. (J. Martin)

Scottish Civic Trust My Place Awards, deadline 31/01 (J. Martin)

Moray Community Resilience Planning, workshop 20/01 (J. Martin)

CRNS newsletter (15/01) (J. Martin)

BPL Events First Aid Cover (J. Martin)

Forres Area A96 Dualling Action Group, awareness-raising mtg 23/01 (Brian Higgs)

Scottish Health Council, Jan 2016 Update (Vicky McDonald)

Moray Sports Centre Project: public consultation, 13/01 (MSCP team)

Forres Area Forum meeting, 30/01 (Tina Coffey)

Strengthening Local Policing, strategy document (Police Scotland, NE Division)

Gordon & Ena Baxter Foundation awards, 2015 annual report (J. Martin)

Moray Local Outdoor Access Forum, position vacant, deadline 12 Feb (Jackie Greig)

Grants in Moray area, Foundation Scotland (J. Martin)

Scottish Health Council, December Update (11/12/15) (V. McDonald)

Moray Strategic Plan for Health & Social Care, consultation deadline 23 Feb (Fiona McPherson)

Why Sports 2016 Conference, March 2016, Manchester, registration (J. Martin)

Findhorn & Kinloss CC, Nov. meeting minutes (Les Morgan)

Fairer Scotland Community Council Event (09/15), Q&A session (J. Martin)

Scottish Rural Parliament, report by Gordon Methven (J. Martin)

"The Talker", 1st issue, Scottish Tourism Alliance (J. Martin)

Community Wardens in Moray, information (J. Martin)

Moray Chamber of Commerce, bulletin, Dec. 2015 (J. Martin)

Moray Compact, consultation, deadline 29 Feb (tsi Moray, via J. Martin)

CAS drew attention to various items on the list: (i) Pam Gowans is now due to address DLCC's meeting on 6 April; (ii) there are still delays in the opening of the pain relief clinic in Elgin. **SA** had attended the A96 dualling meeting in Rafford, and is concerned that plans

from Auldearn to just west of Dyke are still vague and so need continuing observation. **CAS:** urged councillors to attend the A96 open day in Nairn on 4—5 Feb.

9. Community Feedback

No issues were raised.

10. Reports (a) Local Councillors

CIrAS: has only just returned from 3 weeks' compassionate leave and is working part-time, but finds that TMC business is completely dominated by the Council Tax controversy. The Scottish Government has told TMC it will be penalized 3 ways, costing it £5 million in grant, if it persists in raising Council Tax (by 18% as announced in January). That would mean TMC raising CT by an unacceptable 36%, so TMC has no option but to back down and, instead of raising CT, will need to dig even deeper into its reserves if it is to fill the hole in its budget and not pare down local services even further. This will not only have significant long-term financial consequences but represents a serious threat to local democracy. TMC was disappointed by the lack of solidarity among other councils; public opinion in Moray had been split roughly 50:50. On a happier note, the Finnerne Community Council is about to start up again, prompted by the A96 dualling proposals.

11. Planning Issues

DS: (i) TMC's 2-week response time for planning applications means that councillors will need to be prepared to conduct more business via email.

(ii) 3 local planning applications in the past 2 months: no comments from DLCC on 2 of the 3. **DS** reported on the 3rd, his query to TMC concerning the erection of solar panels and horse sheds at Muirside Farm, Brodie, in light of Ms Lorna Ross's correspondence with him. **CIrAS** accepted there had been a problem with TMC's online software, which had been failing to register applications, including Ms Ross's for solar panels. She considered it desirable for community councils to be as transparent as possible with members of the public when querying their planning applications with TMC.

(iii) Rural Groupings: Following discussion on the 2016 Rural Communities consultation document, **DS** was requested to draft a response to TMC to be approved at the March meeting of DLCC. All CC members were requested to make any observations of their own known to DS in a timely manner.

Action: **DS** to draft response to TMC document.

12. Joint Community Council of Moray (JCC)

Nobody from DLCC was available to attend the JCC meeting on 11 February.

13. AOCB

SA: produced a petition signed by 35 persons with interests in the minor road (C9E) leading towards Kintessack. The concern of the signatories was with the speed of traffic along this narrow, mostly single-track road and the number of wild animals being killed. Pedestrians, domestic animals and horses were also noted as being in danger.

Action CAS to submit the petition to TMC with a request that they consider appropriate signage to remind drivers to proceed with due regard for others.

CAS: it had been reported that the public notice-board at Kintessack was in a poor state of repair. **DLCC** did not feel fully responsible for this but would make initial enquiries to see if a smaller board could be attached to the bus shelter. DLCC could contribute a sum of money towards the replacement board.

CAS: CM had indicated to CAS that, for personal reasons, she would have to demit office as Secretary of DLCC. CM would continue in office until the March meeting and CC members would meantime seek a replacement. **SA** suggested Claire Rhind as a possible new Secretary and offered to speak to her on Friday evening.

CAS: requested to send thanks to Dyke Hall committee for preparation of meeting room.

14. Date and Time of Next Meeting of DLCC

Wednesday, 2 March 2016, at 7:30pm, at Dyke & District Community Hall.