

FINDHORN AND KINLOSS COMMUNITY COUNCIL

Minutes of Meeting held on 27 Oct 16 JMI Findhorn

Present: L Morgan (Chair + Minutes) F Rietberg, T Brown, P Carroll, M Hyde, S Finnegan, F Allan, H Morton

Attendance: Cllr McLean, Cllr Alexander, Cllr Creswell, R Douglas BSO Kinloss Barracks, T McLaren Forres Gazette and 11 members of the public, 6 of whom left after Public Business.

Item 1: Apologies, J O'Hagan, E Malone, Cllr Skene.

Item 2: Police Report and Public Business

Police Report

2.1 Constable R Mackay had no significant crimes to report in this area. Members of the public reported speeding traffic leaving Kinloss on the Findhorn Rd and on entering the 30mph area in Findhorn. Constable Mackay would report this to encourage more speed monitoring in these areas. The Chairman thanked him for attending and then he departed.

Public Business

2.2 A member of the public requested information on the current position of this Council regarding wildfowl shooting then complained that this Council was not representing the views of its constituents because it did not support the petition to ban shooting. The Chairman stated that he did not agree with the member of the public's assertion that most of this community wanted to ban shooting. The CC has to reflect the spectrum of opinion and interests of all sections of the community. Our view had not changed since our January meeting. We believed that it is highly likely that if a petition was raised in favour of Moray Council introducing a byelaw, there would be more signatories for that course of action. The F+K CC urged Moray Council to introduce a byelaw to control the shooting. Moray Council has delegated to the Findhorn Bay Local Nature Reserve Committee the task of seeking agreement between the relevant stakeholders on a suitable compromise to frame a bye-law without the likelihood of a costly public enquiry. P Carroll attempted to brief everyone on the composition of the FBLNR committee but the same member of the public repeatedly interrupted by saying that P Carroll had a conflict of interest and should be prevented from speaking. The exchanges between P Carroll and the member of the public became very heated and the Chairman regained order stating that P Carroll should be allowed to speak. The member of the public believed that that this CC is in breach of the Code of Conduct and that P Carroll should not be discussing wildfowling. This Council disagreed as P Carroll was providing information. The member also stated he was disturbed by shots being fired at 10.30pm and had called the police on 999. He was critical of the police response and the Chairman stated that the police would only respond when a crime has been committed.

2.3 Mr B Wardlaw gave a presentation on behalf of the Findhorn Church of Scotland on their forthcoming planning application to refurbish the inside of the church, and answered questions. The main aim is to alter the interior of Findhorn Church of Scotland and make it more useable as a venue for a variety of events. The facilities will also be improved and the planning application will be made public at the end of this year. The Chairman outlined the role of this Council in dealing with planning applications. The presentation team then departed.

2.4 Findhorn Village Conservation Company. F Allan reported that as expected the hard work is starting now that the FVCC has owned the land for about 6 months. Policies and Procedures are being developed and put in place. It is now necessary for the FVCC to consider how to maximise revenue streams.

Council Business

Item 3: Ratification of Minutes of the meeting on 29 Sep 16

3.1 Corrections: F Allan proposed changing para 2.4 by deleting "the Armstrong Garage site" and inserting "the garage site". Also replacing "Negotiations are underway on whether responsibility for the Findhorn Bay standing water could be transferred from Crown Estate to the FVCC." with "A Sub group of FVCC formed to look at acquiring water area in the bay currently owned by The Crown Estate." The Minutes of the meeting In Sep were then ratified, proposed by P Carroll, seconded by F Allan.

Item 4: Matters Arising

- a. (2.1) Request speed survey data from Moray Council. **LM Done**
- b. (6.1) Confirm details and timing of wreath laying at Kinloss Abbey **RD Done**
- c. (7.1.c) Provide Moray Council with final Minutes which are not stamped "Draft". **LM and JOH Done**
- d. (7.1.d) Attend C Cllr training sessions in Elgin on 19 Oct and 3 Nov. **FR 19 Oct done.**

- e. (7.1.f) Organise fund raising event for defibrillator in Kinloss Church. **TB** In progress.
- f. (9.1) If required, pay honorarium to independent checker of our annual accounts. **FR** Done
- g. (14.1) Lay wreaths in Findhorn and Kinloss. **HM and LM** Noted
- h. (14.6) Write to SEPA about rusted flutter valves **PC** Wrote to Scottish Water first.
- i. (14.7) Request that M Council widens the pavement by Kinloss Church. **LM** Done.
- j. (14.8) Inform FBLNR there is no second volunteer from F+K CC to serve on the committee. **PC** Done.

Item 5: Declaration of Conflicts of interest There were no declarations of interest except as stated in 7.3 below.

Item 6: Kinloss Barracks Report

6.1 R Douglas reported that the DSATCO at RAF Lossiemouth was not able to meet to discuss a low flying complaint over Findhorn last summer. The Chairman remarked that the problem has probably disappeared now that the summer student flying has finished. RD stated that 39 Eng Regt should be able to assist with the Kinloss Nature Trail early in 2017. Chairman advised RD that Maj Dunford had advised him that the Southside proposals for projects are still under consideration. See 7.1 below for info on defibrillator.

Item 7: Chairman's Report

7.1 E-mail received from R Douglas 39 Eng Regt offering to collaborate on procurement of a Kinloss defibrillator. TB and I discussed this and preferred to proceed with our own procurement, hopefully using an old red phone box to house it outside the Culbin Room. R Douglas accepted that and suggested we collaborate on training. LM is attempting to establish from BT whether a redundant kiosk or red phone box can be obtained to house a defibrillator.

7.2 Letter received from R Lochhead MSP giving an update on the current situation on wildfowling. Chairman was asked by the F. Gazette to provide comment on reports of confrontation between shooters and opponents of shooting.

7.3 Letter received from D Ross MSP informing us to expect consultation on the A96 dualling route. Chairman was unable to attend the recent A96 presentation in Forres and the advisability of submitting an early agreed CC response was discussed. Chairman declared an interest in that the northern bypass route around Forres is near his house. Different views It was decided that The CC should not submit a consolidated response to the consultation at this stage and individual Councillors were of course free to submit individual comments. Members of the public in our area are encouraged to submit their comments to the A96 dualling consultation. (a96dualling@transportscotland.gsi.gov.uk)

7.4 Attended Special JCC Meeting on 13 Aug at which Chief Insp Mackie outlined rationale for changes to police interaction with CCs. CI Mackie emphasized that police will continue to attend CC meetings whenever possible. He said that the amount of police time involved in producing a monthly report for each CC was not best use of police time and proposed a trial of a monthly Moray-wide report which indicated trends rather than crime statistics. Local paragraphs would be added where appropriate. Those present at that meeting agreed to the trial.

7.5 Attended further meeting of Moray Economic Partnership (MEP) to consider the economic implications if the MOD decides to close Kinloss Barracks. LM was actioned to discuss with T McLaren publicity in the F Gazette.

7.6 Progress with Southside projects. Cllr A McLean discussed with LM an objection to a playpark proposal by Southside resident. Resident should be advised to put objection in writing to J o'Hagan, who is also Chair of Southside Residents Assoc, copy to LM. 39 Eng Regt is still considering the proposals submitted by Southside residents via this CC.

7.7 A complaint was received by e-mail from a member of the public about a councillor's remark at the last meeting. The councillor has apologized and this was accepted.

Item 8: Secretary's Report

8.1 J O'Hagan was unable to attend the meeting and provided the following report.

1. The supplementary guidance that was prepared by the Council on 'Accessible Housing, Rural Groupings and Developer Obligations, has been approved by Scot Gov and now form part of the Moray Local Development Plan 2015.
2. There's an e newsletter from Quarriers for those interested.
3. Moray Art Centre have a list of their new classes for those interested.
4. Email from Grant Macdonald re a press release by Forres Community Leisure Ltd, as part of their consultation. They would welcome the opportunity to present at the CC - re their organisation and plans. This is in relation to acquiring the Mosset Park and adjacent land. **Action:** LM to advise Forres Leisure Ltd they are welcome to do a presentation at our Nov meeting.

Item 9: Treasurer's Report

9.1 F Rietberg presented the year-end accounts to 30 Sep 16 which had been independently checked and circulated by e-mail. At the year end, the Moray Council Grant balance C/F is £1386.00 which is slightly up on the previous year and the Other Grants balance C/F is £2217.96 which is slightly lower than the previous year. Proposed by P Carroll seconded by M Hyde that these accounts are accepted and should be forwarded to Moray Council. **ACTION: LM.** After recent expenditure the current balances are Moray Council Grant £1144.90, Other Grants £2217.96, total £3362.86. The Chairman thanked the Treasurer for her good work over the year and thanked Mo Hyde and all concerned for putting on the Right Lines production earlier this year. The statement of account for that event showed a small profit which is very commendable. The end of year accounts are attached to these Minutes.

Item 10: JCCM Report

10.1 The next JCC meeting is on 10 Nov. L Morgan will attend.

Item 11: Moray Councillors' Reports

11.1 Cllr McLean. Received a verbal report from a Southside resident who is not happy with the sports facilities proposed in the Southside Proposals. The complainant/s are urged to put their comments in writing to the Chairman of the Southside Residents Assoc and this CC. Work in progress to fill teacher posts at Kinloss and Forres. Dependent on future use, planning permission may be needed for adoption of redundant red phone boxes. Comments on A96 dualling should be submitted now. Involved with Cllr Alexander in progressing improvements to mortuary services and Cllr McLean praised the positive action taken by the family of the late Frank Whyte on this issue.

11.2 Cllr Alexander. Concurred submitting A96 comments now. Kinloss pupil, Sam Robbins received 'Travel to school' award for badge design. Teacher interviews in progress. Attended COSLA conference. Changes coming next year to school exams and testing. Refurbished Forres Swimming Pool now opened, improvements have been behind the scenes. Along with Councillors from other LAs, provided comment on the new Integrated Joint Health board; Moray appears to be doing well compared to other LAs. Moray Council received Saltire Award commendation for Elgin Flood Alleviation Scheme.

11.3. Cllr Creswell. Reported that the fire prevention advice and the CPR training provided at the flu jab vaccination event yesterday was well received. Attended charity bake-off event. Attended domestic violence conference today. Aunchernack Trust applications in Nov benefiting older people. Chris Page, new ASBO is in post. Involved with a group networking support to those with mental health problems. JMI will receive £4K+ funds from Developer Contributions. JMI to increase use of JMI. I am no longer Chair of Integrated Joint Health and Social Care Board for this area.

Item 12: Findhorn Foundation Report

12.1 F Rietberg highlighted the Findhorn Hinterland Trust Community Consultation document which had been circulated to all some time ago. The FF Workshops and Events Brochure was also distributed.

Item 13: Planning

13.1 H Morton reported on Planning Applications:

16/01371 Upper Hempriggs Kinloss. No action. M Council Transport considering traffic on single-track road.
16/01599 10 Church PI Findhorn. No objection.
16/01617 and 01618 110 Findhorn. No objection.

Approved since last meeting:

16/01308, 16/01377, 16/01289, 16/01265, 16/01226,

Pending:

16/01412, 16/01419, 16/01435 Seapark House Kinloss. No objection
16/01471 Seaview Caravan Park Kinloss. No objection. SEPA has objected.

Withdrawn:

16/01322 185 Findhorn

Rural Groupings:

Milton Brodie. No development opportunities identified

Newton of Struthers. Opportunities for sub-division and replacement.

Item 14: AOCB

14.1 J O'Hagan: Southside awaiting confirmation re the spending of the allotment fund. When the Army confirms their position, hopefully progress can be made in this area.

14.2 F Rietberg. From her CC training session, she suggested that complaints against the council should be logged, with a note of action taken. Agreed. **Action: LM**

14.3 S Finnegan. Findhorn residents should each have received a flyer from Scottish Water requesting that non-approved items are not put down the toilet as they block the system. No further action needed by us.

14.4 M Hyde reported that the Spotlight mag has a calendar which can be populated with our meeting dates. Agreed. **Action: MH**

14.5 T Brown. Funding for defibrillator. Cost about £1400, propose funding as follows: intend holding a quiz night in Kinloss Church on 18 Feb 2017 to raise funds, hopefully £500; maybe one more event; application to BerryBurn by Jan for £500; CC funds make up balance. All agreed. **Action TB (event) and FR (app to BB)**

14.5 L Morgan. BT considering removing telephone kiosk at Kinloss PO. LM requested info from BT on whether usage and numbers of houses meet criteria for retention.

14.6 H Morton proposed that we fund a new notice board not exceeding £300 from our funds for Findhorn. Agreed. **Action: HM**

14.6 P Carroll asked whether the Minutes should state this Council's view on Moray Council's initiative to delegate to the FBLNR the task of reaching a compromise. Following discussion it was agreed that these Minutes should state that the F+KCC supports the Moray Council initiative to reach a compromise between the various parties on wildfowling. He requested that the Minutes make it clear he believes there is no conflict of interest when he provides this Council with information. All agreed that he was providing factual information, hence there is no conflict of interest. This is also covered in the Public Session 2.2 above. The FBLNR received £1500 from BerryBurn; this will be used for information boards around the Bay.

Item 15: Forthcoming Events

Forres Wellbeing Project Launch Forres Town Hall 5 Nov 2-6pm

Remembrance Sunday Wreath Laying 13 Nov

Kinloss Church Open Day and Christmas Fair with Arts and Crafts 26 Nov 1030 – 1430

Forres Christmas Lights Switch-On 5pm

Findhorn Village Centre Christmas Bazaar 3 Dec 1 – 5pm

Community Council Hogmanay Fireworks and Bonfire, Findhorn Piers midnight

Item 16: Date of Next Meeting 24 Nov 16 in the Kinloss Church Culbin Room at 7pm.