

Crathes, Drumoak & Durris Community Council (CDDCC)
Minutes of Annual General and December Meetings
4 December 2013 at Crathes Hall from 19.30 hours

1. Sederunt

Community Councillors: Howard Scholey (Chairman), Cliff Grover, Mark Ansell, Maxine Smith, Geoffrey Atkinson, Linda Murray, Les Bray (and David Morrish, who joined meeting later)

Aberdeenshire Councillors: Graeme Clark, Linda Clark, Raymond Christie

Members of Public: Sue Grover, Daniel Wake, Angela Bichan

Minutes Secretary: John Hopkins

Apologies: Jill Webster, Ann Ross, Peter Bellarby

2. Approval of Previous Minutes

The minutes of the November meeting were proposed by Maxine Smith and seconded by Linda Murray and accepted as an accurate record.

3. Police Matters

Howard Scholey noted that he had not received any report from Police Scotland, nor were any representatives thereof present. He therefore proposed to proceed straightaway with the most topical items of normal business before moving on to the AGM.

4. Urgent Planning Items

There were no new planning applications which were regarded as contentious.

5. Crathes Housing

In the absence of David Morrish (chair of the sub-committee), Howard Scholey briefly recounted the history of the Crathes Housing planning application, which had led to the unanimous rejection of the (revised) application by the Marr Area Committee. Noting that she herself had not been present at the meeting (through absence in hospital), Linda Clark said that the application had been notably lacking in energy sustainability. The applicant (Stewart Milne) had also been told that the houses were of a notably-uninspired design and that connectivity with the existing village was wholly lacking. There was, of course, the fear - usual with rejected applications - that the decision could be over-ridden at Appeal and that this could also erase the conditions which had previously been put by Councillors on the application.

John Hopkins said that he believed that the late-in-the-day decision by SEPA that an on-site sewage treatment plant was unacceptable because of the flooding risk was highly-significant and that the resultant need to pump sewage from this site into Banchory was directly counter to the philosophy of the Local Development Plan, which focussed on the importance of using existing infrastructure capacity.

In response to a question from Cliff Grover, Howard Scholey said that CDDCC would probably not be asked for evidence for the Appeal, although this did not prevent it volunteering relevant information.

(This subject was resumed later in the meeting, after David Morrish's arrival). To re-summarise the relevant evidence from CDDCC and submit it into the Appeal process (**Action: David Morrish**). David Morrish noted that the Planners were already trying to distance themselves from involvement in this issue. Piers Blaxter, for his part, had suggested that CDDCC become involved in the preparation of a "Master Plan" for Crathes (with which idea David felt inclined to agree, although it could prove a two-edged sword). Assistance for this might be obtainable from the charity, Planning Aid for Scotland.

6. Any Other Business

6.1 Speed Limit – Kirkton of Durris

Cliff Grover reminded CDDCC that he had written a further letter, on its behalf, to the Roads Department in October. He had received a response in November, in which the:-

- Roads Department disagreed that there had been a significant accident history
- apparently-comparable examples had been rebutted, on technical grounds
- Scottish Government document had been rejected, as not locally applicable

In the course of a discussion on the subject, it was agreed that a way forward was required. To think further about the subject, for a resumed discussion at the January meeting (**Action: All**). Graeme Clark suggested that the Piper be contacted, with a view to it possibly taking up a campaign to reduce the speed limit. To consider this proposal, alongside others, at the January meeting (**Action: Cliff Grover**).

6.2 Review of CDDCC Structures

Howard Scholey said that – now CDDCC had expanded in numbers – there was a need (and opportunity) to organise ourselves better, in order to be able to deal with more business. He felt that we should not permit the main monthly meeting to become more congested, so considered that we should make more use of sub-committees. To consider further what sub-committees would be of use, for a resumed discussion at the January meeting (**Action: All**). Maxine Smith noted that it would be helpful, in doing this, if we each knew what skill ranges existed in CDDCC.

Howard Scholey noted that Community Engagement and Development should become a formal subcommittee of CDDCC.

6.3 Main Issues Report

Howard Scholey noted that David Morrish and Trudy Harrison had attended the Banchory MIR consultation meeting, but that – since then – CDDCC had been unable to focus effort on the topic. Copies of the Aberdeenshire Council slides from the Drumoak meeting had now been received. Cliff Grover pointed out that CDDCC had discussed the possibility of holding a meeting during January, with a view to collecting comments for submission by 1 February. To ask Ann Ross to get publicity for January meeting (**Action: Howard Scholey**)

6.4 Speeding in Drumoak

Maxine Smith raised this issue, but withdrew it upon being informed that Les Bray would be bringing it forward at the January meeting.

6.5 Local Newsletter

Maxine Smith informed the meeting that it appeared that the local Newsletter would cease publication in the next quarter, as a result of a change in policy by the local Church. This was a matter of considerable regret, as it was the only substantial local medium of communication. The proposal had been floated by the Newsletter staff that CDDCC might take on the publication, but CDDCC confirmed its view that it did not have the necessary resources so to do.

6.6 Co-option of Members

Upon a proposal from Geoffrey Atkinson, it was decided to consider forthwith the possible co-option of two additional CDDCC members for Drumoak. *Following the agreement of Daniel Wake and Angela Bichan (both in attendance), their co-option was agreed by acclamation.*

6.7 Durris School Carpark

It was understood that the only item now preventing the submission of the planning application was the receipt of a necessary letter from the Legal Department of Aberdeenshire Council, guaranteeing that the land would revert to its original owner if and when it were no longer required as a school carpark. Once this was to hand, it was understood that Melissa Coutts would contact CDDCC to initiate the application.

7. AGM

7.1 Chairman's Report

Howard Scholey summarised his report, which had already been circulated in an earlier version and is reproduced below in full:-

2013 Community Councillors

CC Office	Community Council Area Represented		
	Crathes	Drumoak	Durris
Chairman	Howard Scholey		
Vice Chairman	David Morrish		
Treasurer			
Secretary			John Hopkins*
Minute Secretary			
Planning	David Morrish	Geoffrey Atkinson	John Hopkins*
K&M CC Forum			
Marr CC Forum	Howard Scholey		
Website			
Press Officer	Ann Ross		John Hopkins*
General		Maxine Smith	
General		Les Bray ⁺	
General			
General			Cliff Grover
General			Mark Ansell
General			Linda Murray

*Non-member *Co-opted August 2013

Resignations: Trudy Harrison: September 2013, Molly Atkinson: June 2013, Jenny Watson: August 2013

Community Councillors

The Community Council started the year with barely more than the minimum number of councillors overall, and with no representation for the Durris sub-division. In June and July, concerted efforts were made to invite nominations for new members in the Drumoak and Durris sub-divisions, as a result of which, one nomination for the Drumoak division and four for the Durris division were received by the due date. Since the number of nominations was not greater than the number of vacancies, the following were elected to the Community Council unopposed:-

Drumoak

Maxine Smith

Durris

Cliff Grover

Mark Ansell

Linda Murray

Alan Ross

Subsequently, Les Bray, who had been indisposed at the time nominations were sought, was proposed and accepted for cooption to the CC to represent the Drumoak sub-division. Two vacancies remain for Drumoak, and efforts are currently being made to fill these. We would like to express our appreciation to the members who resigned from the council during the year, and they leave with our very best wishes. Special mention is due to Jenny Watson who has retired after many years service.

Priorities for 2013-14

During the year it was proposed that the CC review its priorities and keep them under review up to the termination of the current Community Council's term at the end of 2014. The current priorities are:-

Kirkton of Durris Speed Limit

LDP Main Issues Report

Drumoak Representation on CC

Durris School Car Park

Kirkton of Durris Speed Limit

A letter was sent to the roads department in January reiterating our view that there was a strong case for the current 50mph speed limit on the B9077 to be reduced to 40mph. A reply from Roads was eventually received in March, declining to review the situation, and providing a decision tree to illustrate why the limit should remain at 50mph. The Community Council wrote to MSP Dennis Robertson soliciting his support, and received a sympathetic reply. However, Mr. Robertson took up the case with the police rather than the Roads Department, and although the correspondence was forwarded to Roads, nothing further developed from this approach. On closer examination of the Roads Department decision tree, it was clear that the choice taken at critical decision nodes was open to interpretation and that if different decisions were taken, it was possible to justify a 40 mph limit. Further action on this is being pursued by Cliff Grover, backed-up by national guidelines on the setting of speed limits, and we await developments.

LDP 2016 Main Issues Report

The Community Council attended a meeting in March on the consultative stage of the Main Issues report for the LDP. We were unable to be represented at subsequent consultation meetings, and we have not been able to give as much attention to this as perhaps we ought. This was largely as a result of depleted membership in the first half of the year, and being occupied with current planning issues. When the main issues report was published in October 28th, these were the following development proposals which impact our area:-

- 1) The extension of sand and gravel extraction at Park Quarry between the A93 and the River Dee, apparently preferred by planning officers.
- 2) Housing at Kirkton of Durris: Developer bid proposals which are not preferred by planning officers
- 3) Housing in Woodlands of Durris: Existing proposal for development of 20 houses to be carried forward. Two further developer bid proposals which are not preferred by planning officers.

Responses to the proposals in the main issues report are due in by 1st February, and the Community Council will solicit views on the above proposals in our area.

Drumoak Representation on CC

At the time of writing, there remain two unfilled vacancies for the Drumoak sub-division. It is hoped that these vacancies can be filled by cooption in the near future, to bring representation for this sub-division up to full strength for the remainder of this term of office to December 2014.

Durris School Car Park

Regrettably, none of the office-bearing CC members were able to attend the most recent school council meetings, but Cllr Graeme Clarke was able to represent us, and confirmed the CC's willingness to act as applicant for planning permission to construct the new car park if this is appropriate. We await the relevant documentation to initiate this process. Congratulations are due to the school council for their perseverance with this project over several years.

New priorities will arise during the coming year as current priorities are satisfactorily addressed. Although not classified as priorities during 2013, **Community Planning** and **Community Engagement**, should have been important topics for us, but they have been sadly neglected, partly due to lack of human resources. With the introduction of enthusiastic new members, this area has recently seen a lot of constructive thinking, and new strategies are being developed to address this, starting with overhauling how the Community Council communicates with the rest of our community and other bodies.

Development and Planning

This has taken up the majority of our efforts during the year, and generated the most engagement with our constituents. I believe that it is worth reiterating that our Community Council fully recognises the need for rural development, and supports the guidance given in the Local Development Plan 2012 (LDP). Many policies are subject to interpretation, and it is often around these interpretations that contentious issues arise.

Outwith the provisions of the LDP, a bone of contention for us is the point at which a Community Council is entitled to be consulted on any planning application. The Aberdeenshire Scheme for the Establishment of Community Councils states that Community Councils "*are statutorily included in the consultation process for all planning applications affecting their area*".

Aberdeenshire Council's interpretation of this statement is to restrict prior consultation with Community Councils to Major Planning Applications only, these being defined as, "A development of 50 or more houses or a site of 2 or more hectares". There are substantial applications which do not meet the definition of a Major Planning Application, but which still have a major impact, particularly on the kinds of small rural communities which we represent. In these cases, once the planning application is published, the Community Council is left with insufficient time to inform and consult the local community and represent their views.

During 2013, our Community council has submitted representation opposing grant of permission on the following applications:-

- 1) Change of use of Commercial Site at Woodside Farm Drumoak
- 2) Erection of Crematorium at Crathes
- 3) Development of three houses west of Alma Cottage, Park, Drumoak
- 4) Proposed housing development at Crathes by Stewart Milne.

Of these, only the Crathes housing development was classified as a major development, and allowed sufficient time for meaningful consultation.

Change of use of Commercial Site at Woodside Farm Drumoak.

Objection was raised on the basis that the change of use from a car showrooms and workshops to offices and warehouse/workshops was not justifiable, and bore with it the risk of an unsuitable development, but permission was granted in December 2012. It is understood that the premises are to be let to an oil-services company. The grant of permission contains a condition that the premises will only be used during what might be considered normal commercial working hours. Given the nature of the proposed business, the likelihood of compliance with this condition appears remote. The Community Council has expressed scepticism over the subsequent enforcement of the condition. Unacceptable disturbance to nearby residencies appears inevitable.

Erection of Crematorium at Crathes

Following a hastily convened public meeting on May 15th, at which the overwhelming majority were opposed to the proposal, the Community Council raised objection to this on a number of grounds. These included the facility being unsuitable for a small rural community such as Crathes, road safety and access problems, and insufficient consultation. The Community Council made representation in person when this application was first heard before the Marr Area Committee on August the 10th, when determination was deferred pending a site visit. A material consideration we raised was that the site is part of a Designed Landscape in the LDP 2012. That this last fact was in effect denied in the Planning Officer/s report to the Area Committee was regrettable on several grounds. Following the site visit by Area Committee members, the Committee heard the application again on September 10th. All three Ward 16 Councillors opposed grant, but were outvoted by the other members of the Committee. Thus are such “Bad Neighbour” developments determined!

Development of three houses west of Alma Cottage, Park, Drumoak. Following the withdrawal of a similar application early in 2013 after objections from residents and the Community Council, a slightly revised application was submitted in September. Objection was raised to this application on the strategic grounds that it would contribute to further ribbon development along the A93 North Deeside Road. Significantly, the proposal did not meet the key conditions for organic growth provided in the Planning Advice 13/2012 given with the LDP; the planning officer should have refused grant of application on these grounds alone. At the time of writing, this application has not been determined, pending a site visit by K&M Area Committee members.

Proposed Housing Development at Crathes by Stewart Milne. The site for this proposal has been under consideration since it was the subject of a Planning Brief published by Aberdeenshire Council in 2006. Stewart Milne initially consulted the Community Council on this application in October 2012, and through setting up a dedicated subcommittee to deal with this application under David Morrish’s chairmanship, we have been involved in extensive consultation with both the developer and the Planning Department throughout the year. The Community Council hosted public consultation meetings in March and November to allow the developer to present their proposals and to assess community opinion. The bulk of opinion from the local community was that the development was too big for a settlement the size of Crathes, and the layout and design of the individual houses paid scant attention to the provisions of the Planning Brief. Accordingly, the Community Council opposed grant of permission, and made representation-in-person when the application was first heard at the Marr Area Committee meeting on September 10th. At that meeting, a decision was deferred whilst the application was referred to the Aberdeenshire Design Panel for comment. Following the report of the Design Panel, and the developer submitting revised plans, the application was heard again at the Marr Area Committee on November 26th, where grant of application was refused.

The consensus of opinion from the local community was that the design panel recommendations did not address the reason that the development had been referred to them in the first place. We understood the referral to be on the grounds that the development was not in character with its location, with bland, unimaginative “suburban” housing designs. In response to the Design Panel’s comments, Stewart Milne presented alterations to the proposal at the public meeting hosted by the Community Council at Crathes Hall on November 20th, but these alterations were widely held to be insignificant. The developer has made no public comment regarding the refusal to grant approval for the proposed development, but is expected to appeal the decision.

A common factor that has arisen in 2012 during our engagement with the planning system has been concern over the quality of the advice that has been supplied to the Area Committees. On occasion, this advice has appeared incomplete, incorrect or misleading, when viewed against the Supplementary Guidance provided in the Local (LDP) or its supporting Planning Advice. We strongly believe that either the LDP is there to provide the framework against which planning decisions are to be made, or it is a substantial waste of public (ie our) money. Too often we are left with the impression that it has been cherry-picked, ignored, or misrepresented. An Area Committee Meeting is a forum in which elected councillors have to make decisions based on the advice that they are given by the council's officers. If this advice is flawed, then the Area Committee is at risk of making flawed decisions, as we believe has on occasion been the case.

Sadly, in some cases, we have not identified procedural flaws at an early enough stage to influence the planning decisions; the issue of the Crathes Crematorium being situated within Designed Landscape being a prime example. This highlights our need to build and maintain our knowledge-base where planning policy is concerned, so that where appropriate, we can react rapidly in the period following publication of applications. Once the planning officers report for the Area Committees have been written, it is difficult to influence the outcome.

Policing

Following the replacement of regional police forces by a unified Police Scotland, we continue to have regular policing reports and attendances at our monthly meetings, which is greatly appreciated. We are often reminded that ours is a relatively low crime area, but there have been reports this year of some forms of crime that are typical of rural crime patterns. There was some incidence of theft of heating oil from isolated properties, and residents are reminded to fit locks on their tanks. There were also several incidences in our area of property break-ins with the specific purpose of obtaining car keys for vehicle theft from the premises, this being in response to generally improved security on modern vehicles making them virtually impossible to steal without the keys. Again, residents are advised not to leave keys in obvious places in their houses.

In Drumoak early in the year, there was a disturbing incident of antisocial behaviour, in which stolen vehicles were driven at high speed round the village, culminating with a car crashing and catching fire, fortunately without serious injury, and local residents being loudly abused. This was discussed at length at two Community Council meetings, and we understand there has not been any recurrence. Whether the underlying causes of the disturbance have been resolved is not clear.

A significant policing issue that arose recently was a proposal to reduce the Banchory Police Station Counter opening hours. Our Community Council's press officer was instrumental in getting this issue onto the front page of the Deeside Piper, lending support to the campaign (*) to revise this proposal. The campaign has proved successful, resulting in an actual increase on total hours open.

This has been an interesting year for the Community Council, and I am glad to observe that we end the year in more robust condition than we started it. New blood coming onto the council has stimulated review of what we can do for our local community. Whilst planning issues will likely remain a necessary part of our activity in 2014, I anticipate that increased engagement with the community will extend the scope of what the Community Council can do on behalf of our community. I would like to promote a review of some of the ways the Community Council operates, so that we are able to reflect more of what we can do, as well as what we have to do. In this respect, the greater use of properly constituted sub-committees will allow Community Councillors with particular interest to advance these interests under the umbrella of the Community Council, whilst maintaining proper accountability. The Sub-Committee on the Crathes Housing development has provided a good example this year of how effective this model can be. This should allow us to expand our activities without overloading the monthly meetings; I am conscious that a couple of recent meetings have run well beyond their allotted times.

I wish to thank all the members of the Community Council for their support and hard work this year, and also our Aberdeenshire Council ex-officio members for their support and guidance.

On behalf of the Community Council, I extend our best wishes to all the residents of Crathes, Drumoak and Durris for Christmas and the New Year.

(*) As has subsequently been pointed out, other parties were also involved in this campaign.

7.2 Treasurer's Report

John Hopkins distributed copies of the draft CDDCC accounts for 2012/13. He noted that spending had exceeded income by just £19.50 in the year. The major expenditure feature (accounting for more than half of spending) was donations to local bodies. These were £200 to the Crathes Hall Committee and £100 towards the cost of printing the local Newsletter.

Maxine Smith asked what was the financial scope of CDDCC. John Hopkins said that, in general, CDDCC had had low levels of income (in 2012/13, only the Administration Grant from Aberdeenshire Council), but also low levels of expenditure. In summary, it was a low-spending Community Council.

Howard Scholey said that the new areas of activities envisaged for CDDCC might require new sources of money. The windfarm money might provide some of this.

The 2012/13 CDDCC accounts were proposed for adoption by Les Bray and seconded by Geoffrey Atkinson. Accordingly, Howard Scholey was asked to counter-sign the accounts to recognise that they had been adopted by the AGM.

To send the accounts to Aberdeenshire Council, with a request for an Administration Grant for 2013/14 (**Action: John Hopkins**)

8. Next Meeting

Crathes Hall – 8th January 2014 from 19:30 (Note that this is the second Wednesday of January: subsequent meetings will revert to the first Wednesday of the month)

DISTRIBUTION				
EMAIL	EMAIL	EMAIL	EMAIL	WEBSITE
CDDCC Councillors (excl. Jenny Watson)	Kirkton of Durris Hall Notice Board (via Gillian Edward)	Insp. Innes Coull	Maureen Newlands (KMAP/MAP/STP)	http://www.durris.net/ (also for previous minutes)
Cllrs. Linda Clark, Karen Clark, Jill Webster (Ward 16)	Crathes Hall Notice Board (via Nicola Chambury)	Insp. Stuart Ednie	Alison Ritchie, Community Learning	
Cllrs. Peter Bellarby, Graeme Clark, Raymond Christie, Wendy Agnew (Ward 18)	Drumoak Church Hall Notice Board (via Mary Robertson)	PC David Mitchell	BY POST Banchory Public Library	BY HAND Park Shop Drumoak Post Office Irvine Arms
Mr W Munro, Area Manager, Kincardine & Mearns				
Mr L Allen, Area Manager, Marr	Neighbourhood Watch Co-ordinator – Alister Bisset	Local Newsletter Editor (Marion Nixon)		