***MEARNS COMMUNITY COUNCIL***

Note of Meeting 27th February 2023

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| **Item** |  | **Action**  |
| 1.. | In attendance: C Rushbridge; C Medlock; S Brown (Sec); J Anderson; A Lawson; J Stuart (Chair); M Robson; R Salvan; D Stewart; A ShiachEx Officio: Cllrs Carr, Evison; Stelfox Visitor: G Wilson Apologies: S Sweeney; J Lovell; K Williams; PC Charnley; A MacDonald; Cllr Carnie;  |  |
| 2 | Approval of minute of January 2023– Proposed A Lawson, Seconded C Medlock |  |
| 3 | Matters Arising: Item 6.7 b) It was noted that Scotland Loves Local vouchers are available to purchase.Item 7 b) It is thought that work has been done in the lade to help alleviate flooding. Item 9 a) Invoice received for work to Dr Buchan Memorial. Work completed does not meet the required standard. JS to query.  | **JS**  |
| 4 | Police 1. Police reports circulated as received.
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| 5 | Correspondence – circulated as received. |  |
| 6 | Settlements 1. Auchenblae:
2. Further complaints about dog fouling, specifically between the Square and the surgery. Auchenblae green dog walker has no knowledge of this. CC to report to Council.
3. Ongoing pothole issues.
4. Query re rights of Way around village. To be raised with Access Officer at requested meeting.
5. West Cairnbeg:
6. Current issues with BT Openreach re fibre optic cables. Council have been helpful in negotiations.
7. Edzell Woods: No Report
8. Fettercairn: No Report
9. Fordoun: No Report
10. Glenbervie: No Report
11. Laurencekirk
12. Concern voiced about the proposed service station at south junction of A90. This has PPIP at present, agreed to wait until full permission sought before making formal comment.
13. It is reported that Openreach are putting in overhead cables on the High Street, this against policy.
14. Luthermuir
15. Re the access to the park, The Land Reform Act 2003 clearly states that it is illegal to obstruct access to public spaces. Local authorities have the right to remove prohibition signs and obstructions. Costs can be claimed back from the person(s) responsible. Local authorities have a duty to uphold access rights. CC to advise access officer in the first instance.
16. On a more positive note, Aberdeenshire Council will not be paying for the cost of repair to the downpipe at the adjacent house.
17. Crosspoles Right of Way. SB has requested a meeting with Access Officer to discuss the ongoing issue of the RoW. Details of proposed meeting will be shared with members once a response received.
18. Marykirk: See Landscape Services, Item 9
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| 7 | Roads Issues1. Road Closure Notices sent out as received.
2. Road Speed Survey is now closed 481 responses being received. Seventy-two percent support for a 20mph speed limit in settlements. Stats to be sent to relevant officers.
3. It was noted that Angus Council appear to take safe routes to school more seriously than Aberdeenshire. Edzell School has flashing lights, a 20mph speed limit, a cardboard police officer with a speed gun tied to a tree opposite the school plus an agreement to retain the school crossing person following complaints from parents/guardians.
4. Kerb damage on road outside cemetery in Laurencekirk– to be reported to roads again as no action in six years.
 | **SB****SB** |
| 8 | Planning1. Weekly planning lists circulated as received.
2. APP/2023/0171 – Installation of two poly tunnels and 2 storage containers at Luthermuir Church. Members concerned about lack of parking in the area. This garden will be available to members of all Mearns and Aberluthott churches. KW to make comment that Mearns CC has concerns about parking and would prefer to see a designated parking area.
3. LDP survey, members asked to make individual response before the closing date of 11th March. SB has asked for a meeting with A Hogge to allow members to seek responses to specific concerns. These are issues such as why so much jargon? Why are the local comments made re the LDP ignored? How are settlements supposed to build a community facility in a farmer’s field as detailed in the LDP. Farmer estimates £50K for the site. This likely to be a Teams meeting.
4. Grain store at Laurencekirk station. The response from the planning department is not adequate. A certificate of lawfulness for a grain store granted in 2006 when there was already hazardous waste in the store does not show competence. Cllrs have asked questions and will continue to do so. Members agreed that the next step will be to speak to the press. Given the proximity to housing and the Academy the Council response is not adequate.
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| 9 | Landscape Services1. Cemeteries “1.3 The Council has a legal responsibility to provide and maintain cemeteries and burial grounds under the Burial Grounds (Scotland) Act 1855, Church of Scotland Act 1925 and the Local Government Act 1973. This generates the need for a strategy to allow effective control, management and future development of the sites.”
2. Mearns Community Council question why there is such a disparity in management of burial grounds across Aberdeenshire. Members have knowledge of cemeteries, mainly in Marr but also in other areas. Kincardine and Mearns does not meet the standards applied in other areas. Costs are the same, Council tax the same therefore why the poor service provision in K&M? Some examples noted are:
* Laurencekirk – cracks in wall and works outstanding (not in a good way!)
* Marykirk – churchyard – stones falling out of retaining wall into adjacent property.
* Marykirk – cemetery – cypress hedge needs cut back. Cllrs advise that there is a proposal to replace this hedge with native trees, possibly beech.
1. Cllrs will take these issues forward in the hope of getting a prompt resolution.
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| 10 | Waste services1. Many complaints about the new bins provided last year. They are far too flimsy and blow all over the place. Not everyone puts their waste into bags meaning pavements and roads are a danger to residents who want to pick up litter. It is noted that members of the public should not be expected to handle waste as content might be contaminated. Bin straps are available - it is thought this might be a hindrance to waste operatives.
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| 11 | Common Good / Issues with Area Office1. Bruce Stewart has advised that he is working his way through the list with relevant Council officers. No response this far. Members are now advised that the Area Manager is leaving his post therefore there is little expectation of any response from him.
2. The first issue, which can be addressed quickly, is the roads depot in Laurencekirk. There was a lease until fairly recently so records should be easily accessible.
3. Scottish Government land registry advises that rent must be paid to common goods funds where common good land is being used by a third party.
4. Members agreed that, following an initial discussion with a legal firm a meeting be held. Council has been negligent in responding to queries. Requests for information have been ignored.
5. Some Laurencekirk members met with a Courier reporter last week, he will be approaching the Council for comment.
6. Aberdeenshire Council are asked to provide a copy of their terms of reference re Common Good.
7. Cllr Carr advised that the Wilkie painting belonging to Laurencekirk is in Mintlaw.
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| 12 | Treasurers Report – Bank Balance £9324.17 |  |
| 13 | AOCB1. Social Event – Suggestion re BBQ at the Burn House in the spring. To be discussed further.
2. Defibrillator at Mearns Academy which appears not to be maintained. CM to speak to Relevant person to ascertain status. Mearns CC members not keen to take this on as would set a precedent across the settlements. It was thought that, as this defibrillator most likely to be required by Campus users then Aberdeenshire Council should take responsibility.
3. Question about the proposed men’s shed in Laurencekirk. It is thought that CLD is involved in this, and they will be asked for comment. It was noted that there is a popular men’s shed at Plantingside on the Lang Stracht. The membership there comes from a wide area.
4. CC Forum – SB to advise area office that comments made at the last forum were not the views of members. All agreed that, moving forward members will make it clear who they speak for.
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| 14 | DONM – Monday 27th March 2023 at Mearns Community Campus.  |  |