

**KEMNAY COMMUNITY COUNCIL**  
**MINUTE OF THE MEETING ON THE**  
**30TH OF SEPTEMBER 2004**  
**AMENDED**

**APOLOGIES FOR ABSENCE – Jim Piggins, Bill Blackwood, David Evans, Pat Findlater, Susan Milton, Alan Davies, Iain Morgan & Cllr Gurudeo Saluja**

**PRESENT – Sheila Taylor, Chris Hunneyball, Alistair Thomson, Hazel Al-Kowarri, Janet Newberry, Mavis Wainman, Roger Dunham, Billy Ridler & Jack Rigby.**

**ATTENDING – Alan Lyon, Neil Milne, A & R McArthur, Steven & Michelle Clark, Isobel Kendrick & Cllr Alister Leitch**

**POLICE MATTERS –**

Unfortunately, no police officers were able to attend this meeting.

**GUEST SPEAKER - COLIN GRAY FROM SEPA**

Cdr Hunneyball welcomed Mr Gray to our meeting and thanked him for coming along to explain about the waste material taken from the former landfill site now the site of the new skate park. Firstly, Mr Gray explained that he is the head of the team that looks after this area and is based at Grey Hope Road in Aberdeen and urged that if members of the public have any concerns or questions to please contact himself or his team at this office. The site in question came to their notice in late July when concerns were raised by several members of the public as to the removal of soil and rubbish from a former village tip. As the work was complete on the site by this time SEPA have undertaken tests to the best of their ability on identifiable material from the site. They carried out a test to compare the soil with that of a composting substance, this is a standard test to give measurable results. They also carried out a 'leaching test' to ascertain the consequences of elements within the soil this was found to carry minimal risk on this sample. Their principle concern is for the environment and public safety. From the small sample they were able to take they found an elevated level of metals in the soil sample and felt it prudent to advise members of the public not to consume any food grown on this soil. He also stated that this small sample may not be representative of the whole site and if members of the public who have soil from this site wished to contact him or his team he was available for them to do so. It may be that there is a pocket of some more hazardous material in the site but this was not the case in the sample they had taken. There are rules and regulations pertaining to contaminated waste and in this case some of these have not been carried out. Investigations are on going and they are trying to strike a balance with the legislation required and what can be done now as the site has now had its building works completed. It is not legally hazardous waste based on the sample taken. Historically these sites were often burnt and due to the age of the site it will contain large quantities of ash from the coal fires that people had at the time. There can be a problem in painted objects as these may have had lead based paint and also there may be asbestos in the site. He stresses he does

not have all the answers and he and his team are available to advise on a site-by-site basis. They are not planning to take anymore samples form the original site at this time and are finding it difficult to find what exactly is from the old rubbish tip due to the movement of soil in the area. When asked what does a slightly elevated level mean – Mr Gary replied compared to normal garden compost there are marginal failures on metals within the sample but was not prepared to say to what % level above. (We have obtained the report and it will be circulated in the next members pack). He can not tell us what the difference between normal garden soil and this would be as each garden would have different results however he would say that it would be higher than you would find in most gardens in the area. Results can vary depending on the ph level in the soil hence they did the leeching test. Some of the material is incorporated in the skate park and this mater is with Aberdeenshire Council as to the consequences of what has been left on site. The bottles that were found have not been tested; as it is not feasible to test everything however significant quantities of certain chemicals would have shown in the tests they did carry out. The did not do any tests for asbestos specifically as it is an airborne problem as long as the fibres remain buried it would cause no ill effects, only a problem if you dig it up and disturb it. They did check the near by ditch and found nothing of any concern in it. Due to the age of the site they found no records that could help determine the nature of it's contents or be of any help in the process. Finally he advised once again that is not advisable to grow any crops in this soil as it clearly shows a waste stream and could contaminate vegetables grown in it.

## **C. MINUTE OF MEETING HELD ON 24<sup>TH</sup> OF JUNE 2004**

**Adoption Proposed** Roger Dunham

**Seconded** Alistair Thomson

**Corrections to last minute/agenda** – Janet Newberry was present on the 24<sup>th</sup> of June but this is not noted. H2 – should read Naida not David

\*\*Please also note were it states that Sheila has contacted someone it is on behalf of Community Council and is either at its request or a request of a member of the community within her capacity as Secretary of Community Council.

## **QUESTION TIME –**

**a/ Opportunity for members of the public present to address the Community Council should they wish.**

Several members of the public were present, one of whom wished to discuss the skate park. Points raised were:

- Claim that the Community Council had recommended the location in preference to a site near Victoria Terrace.
- Why did the Community Council not consult the community about the proposed site, as the previous proposed location at Alehousewells had been well publicised?

- Claim that neighbour notification was not given with regard to the exact location of the facility.
- Concerns that the allocated site was an old refuse tip.
- The parking of cars was causing an obstruction to homes and businesses.
- Residents not opposed to the skate park.

Cllr Leitch gave a brief history of the reasons for not using Alehousewells, namely that the Council did not own the land, and that for that reason planning permission had never been progressed. He continued by explaining the planning process, and assured all attending that this had been dealt with according to policies and procedures.

The Secretary of KCC gave an account of her dealings with residents of Leshangie:

Points raised were:

- Did KCC act in everyone's best interest when discussing the skate park?
- How many members had seen the plans and understood the implications?
- Thought KCC had misrepresented the community.
- Had any KCC member made contact with the Planning Department over the matter?
- Denied contacting the Planning Department to choose the site.

The Secretary felt unable to carry on in her present role without all the facts of every issue being fully discussed openly at our monthly meetings, and not by certain people alone without full support and knowledge of all members. With the benefit of hindsight she did not think that the Community Council had represented the community.

The Secretary tendered her resignation, but said that she would stay in post until a successor could be found.

The Chairman re-enforced the role and responsibilities of community councils and encouraged members of the public to stand for election to the Community Council if they wished to play a more active part in village matters. He agreed to go over previous minutes in the event KCC had been remiss in its responsibilities with regard to planning application and notification to the public.

**ACTION THE CHAIR**

Various members of KCC questioned the views of the members of the public, and when challenged further it became apparent there was a concern about the skate park being used late at night.

Other salient points were:

- The youngsters feel caught in the middle and in some cases persecuted.
- Residents felt let down.
- Concerns about the gas terminal.
- Toilet facilities.

**AGREED** To consider displaying planning applications in notice boards in the village.  
 To ensure that Community Council Agendas were displayed on the village notice boards.  
 To support the provision of toilet facilities at Bogbeth Park.

**b/ Nominate any matters to be raised under AOCB or for a future meeting to be recorded and timetabled**

**Local Housing Strategy  
Concept Meeting  
Northern Lights Tourism Award  
Scottish Executive**

## **MATTERS ARISING FROM THE LAST MINUTE**

- 1. NHS Grampian – Out-Of-Hours Medical Services in Grampian Information & Consultation Process. NHS Consultation / G Doc Plan** – letter in pack to members
- 2. Official Opening – Scottish Parliament Building** – Letter submitted for our nomination of Mavis Wainman. Reply from David Davidson MSP

## **ABERDEENSHIRE NEWS by Cllr Alister Leitch**

Nothing to report just returning after the summer holidays.

## **PLANNING APPLICATIONS**

Details circulated to members on the night no new plans had anything contentious.

## **UNFINISHED BUSINESS**

- 1. Aberdeenshire Local Plan Update** – We must submit our documents by the 9<sup>th</sup> of November and our precognitions by the 23<sup>rd</sup> of November. Jim Piggins has agreed to lead on this for KCC. The hearing will be on the 27<sup>th</sup> of January.
- 2. Toilet Facilities at Bogbeth Pleasure Park Update** – nothing new to report at present. A feasibility study is to be carried out on the pavilion to see if it can be adapted to allow the use of the toilet facilities it has.

## **NEW BUSINESS**

- 1. Calor Gas Awards** – Awards ceremony on 26<sup>th</sup> of November. We await the result.
- 2. Medical Centre Update** – letter in pack to members - no plans to move location
- 3. 3<sup>rd</sup> Party Appeal** – report by ASCC enclosed in pack to members
- 4. Knackery - Dundas Bros / Snowie Group** – letter in pack to members
- 5. Telephone Kiosks** – info in pack to members. BT are to remove the pay phone on Kendal Road – we have been asked to comment on this. Newsletter to carry an article

and a notice posted in the phone box to contact KCC should you have any comments or concerns on the matter.

6. **Aberdeen Town & County History Society – Meeting on 16/9/4** – did anyone attend? – NO
7. **Garioch Area Community Forum** Report by Cdr Hunneyball attached and in pack to members
8. **Calor Gas Awards** – Awards ceremony on 26<sup>th</sup> of November. We await the result.
9. **Bus Forum** – report in pack to member
10. **Consultation Summary – Maintaining Houses – Preserving Homes** – details in pack to all members
11. **Joint Planning Workshop – 14<sup>th</sup> of October 2004** – details in pack to all members
12. **Scottish Rural Partnership** funding available again if we have a suitable project but the closing date in 21/10/2004 – nothing we were aware of.

## **REPORT FROM THE SAFETY GROUP REPRESENTATIVE**

Unfortunately Pat was unable to attend tonight. Sheila read through the last minutes of the Safety group meeting. (Attached to this minute). The group have provided money to Leading Edge Skate group for the provision of benches, tables and bins on the site.

## **AOCB**

**Local Housing Strategy** – Cdr Hunneyball has put together a response and emailed it to all members.

**Concept Meeting** – Chris is to attend this on behalf of KCC

**Northern Lights Tourism Award** – We did not feel we had anything suitable to nominate within the categories required.

**Scottish Executive Consultations** – Chris receives regular updates on these and currently there are 49 on the go at the moment, these can prove most interesting if anyone wished to look at them.

## **CORRESPONDENCE -**

All are in circulation to members or in the pack provided.

### **Enclosed in you member pack this month should be the following –**

1. South Aberdeenshire Command Area Crime Bulletins
2. Grampian Police Annual Report
3. NSCA Leaflet on Neighbour Noise
4. Aberdeenshire Council – Annual Public Performance Report 2002-2003
5. Letter from NHS Grampian on Out-of-hours Medial Services in Grampian
6. Letter from the Scottish Executive - Rural Gateway Executive Summary Report
7. GACCF Report by Cdr Hunneyball
8. 3<sup>rd</sup> Party Appeal report by ASCC
9. Consultation Summary - Maintaining Houses – Preserving Homes
10. Bus Forum
11. Letter from Kemnay Medial Centre
12. Map on showing our Telephone Kiosk.
13. Information relating to the knackery
14. Joint Planning Workshop Letter

**DATE OF NEXT MEETING 22<sup>nd</sup> OF NOVEMBER \*\* NOTE THE  
CHANGE OF DAY – THIS IS A MONDAY\*\***