

**STRATHERRICK & FOYERS COMMUNITY COUNCIL
MINUTES OF MEETING HELD ON 20th August 2013
AT THE STRATHERRICK HALL, GORTHLECK**

Present:

Margaret Davidson (MDA)	Highland Councillor
Iain Brown (IBR) (Chair) & Ian Bateman (IB)	Whitebridge
Liam MacNally (LM) & Catriona Fraser (CF)	Gorthleck
Morag Cameron (MC) & Sally McGuire (SM)	Glenlia Foyers
Roz Rowell (RR)	Torness

Apologies – Martin Donnelly (MDO) Foyers

Agenda	AP	Who
<p>SSE Torness Substation Update</p> <p>David Mackay and Simon Hall from SSE gave an update on the process undertaken so far for the siting of the substation. Explaining the structure of SSE means its four divisions are, by and large, obliged to operate independently because of legislation & regulation. Simon Hall, ran through the details of the site selection process and why, out of 11 sites investigated, the Torness option (site 8) was preferred. He also explained why the alternative site suggested by IBR, was deemed by SSE to be unfeasible – Primary reason being the 275kV line running directly overhead would have to be switched off for too long to enable the construction process.</p> <p>CF raised concerns regarding operational noise levels from the substation in the light of unexpectedly high noise output from the Beauly substation. SSE replied that noise levels would be in the range 92-95 db. Beauly was a 400Kv substation, only one they have this far north and that the transformers are producing noise at a frequency that is audible to the human ear which it should not be doing due to its design. SSE confirmed they are looking in to this issue to establish the cause sh.</p> <p>SSE reported that the Corriegarth wind farm had now committed to underground cabling for the section from Calanah junction up to the substation.</p> <p>Further sectional & wire frame drawings will be available at the next SSE update which will show the proposed screening: a mixture of native whip trees, planted around the substation. It was confirmed it will not be floodlit during operation.</p> <p>The site will be accessed by construction traffic from the A9 via the Calanah junction. Some upgrading of the junction and road (more passing places) and traffic management would be required especially at the Leadclune junction. SSE apologised that they did not yet have a full completed set of drawings etc. These will be made available on the SSE & Community websites in due course.</p>		
<p>Loch Ness Marathon & New Cycle Event Proposal</p> <p>Malcolm Sutherland (Race Director) thanked the Community for their support for the Marathon over the last 10/11 years and passed on thanks from Ray Cameron (volunteer coordinator) to all who had helped in the past. This year buses will travel up from Fort Augustus to the start & most would return the same way.</p> <p>Malcolm confirmed the organisers will provide trophies for the first local in both the marathon & 10k events. Malcolm confirmed official cars will be clearly marked in the future and that runners are advised to drop rubbish at water/energy points</p>		

<p>and not in ditches. Estimated 2800 runners this year.</p> <p>Malcolm outlined proposals for a new major cycling event around Loch Ness for Sunday May 4th 2014. Much background work had been done regarding safety, road closures, emergency services, and communications. A hand-out was circulated detailing a route & possible rolling road closure programme. The event would start in Inverness at 0630hrs travel down the A82 & up the B862. Anticipated to be completed by 1300hrs. Estimated numbers were 750 in 1st year. Malcolm confirmed work with the relevant emergency services, THC and Transport Scotland have been on-going to ensure emergency vehicle access and other emergency aspects are adequately covered e.g. Professional mobile comms, paramedics on bikes, emergency vehicle protocol for contestants to ensure no restrictions to emergency services. Concerns were raised over traffic disruption caused by closures at the start of the tourist season, mobile phone coverage, anticipated spectator numbers and their access. Questions were asked about expected media coverage, can an earlier date be chosen? Can the race operate clockwise (i.e. B862 closures first)? Malcolm will report back on development progress in due course.</p>		
<p>Community transport</p> <p>The full discussion on this was postponed until the next mtg. At this stage concerns were raised over accessibility of the on line survey to those who don't do computers. It was suggested that Sheila Fletcher print off a survey that could be made available at Foyers Shop / Surgery / Seniors' Lunch & taken round to neighbours as appropriate.</p>		
<p>Adoption of minutes</p> <p>August 5th Minutes – proposed CF seconded RR – adopted (with 3 appendices – petition to SFCC re Trust /Trust response/ SFCC Chairman's Summary August 6th Minutes amended to reflect correct date (6th Aug, not 8th Aug) – proposed MC, seconded IB – adopted</p>		
<p>Planning</p> <p>Dell Hydro Scheme – no objections, hill track damage – repair a planning gain issue? Vennal – no objections. Corriegarth Windfarm extension – queries over access, road improvements. SM to write to Ken Mcquorqadale to request that all planning gain, roads, community benefit etc is signed up by the developer and landowners before planning is consented. House on Ardochy Road next to Deer View. No objections – SM to write to the planning officer to request that integrity of roadside drainage ditch is preserved, House on Killin Road above Myrtle Cottage. Aros Matheson (applicant) explained the history of the application and delays at planning. SM to check records to see if CC had raised concerns when the application first went in and to write to Planning officer to request a decision is made one way or other. All were invited to review full details of correspondence on THC eplanning website. MDA is aware of the issues raised and will urge Planning Officer to make a decision.</p>		
<p>Glenlia Garden Fences</p> <p>The misunderstanding over restrictions on fences height over and above the normal planning conditions (>2m needs a planning consent) has been resolved because the conservation status of the area had been revised. MDA has arranged to visit addresses affected with a Senior Planning officer to address</p>		

<p>concerns. Correspondence will be considered at the next meeting. IBR apologised for not dealing with a letter from the SFCT previously regarding a name change for the Trust. The SFCT company secretary advised a decision had been made that this name would not be used and the letter was no longer relevant.</p>		
<p>Correspondence Correspondence will be considered at the next meeting. IBR apologised for not having dealt with a letter previously from the SFCT regarding a name change of the SFCT. IBR asked the SFCT company secretary to confirm that SFCC wa still the sole member of the trust. The SFCT company confirmed this but went on to explain that a Trust decision had been taken that the proposed new name was not going to be used and that this Sole member Resolution was no longer required.</p>		
<p>• AOB Feedback from last SFCT meeting (7th August). SM & RR raised concerns over feeling themselves as being intimidated at the last SFCT and outlined concerns regarding no votes being taken on decisions. RR hoped the SFCT could have a broader outlook than at present. (CF declared a possible conflict of interest and withdrew from the discussion as her husband is SFCT Chair) LM read out the statement attached Appendix 1 and the Sole Member Resolution Appendix 2 IBR summarised the changes to the effect they were; the members and not the directors will decide company membership applications and would make the selection of company directors. IB requested that this unexpected motion be put on hold pending discussion within SFCC and between SFCC & SFCT Directors to talk things through. CF wished it to be recorded that the resolution and motion had been prepared without consultation of all members of the SFCC and that no notice had been given prior to AOB. As the motion had been seconded by RR the chair put the motion to a vote - proposed LM, seconded RR. Votes for: RR,SM,LM,IBR Against: IB Abstention: MC Absent: CF, MDO Following a brief discussion on open meetings a LM read out a second motion, Appendix 3 which was immediately seconded by SM. IBR summarised this to the effect that all future Trust meetings would be held in public in the same way as the CC meetings are held. This motion was also put to a vote. Votes for: RR,SM,LM,IBR Against: IB Abstention: MC Absent: CF, MDO W. Fraser, SFCT Chair, joined the meeting & having been given the opportunity rebutted accusations of intimidation at the aforementioned SFCT meeting.</p>		
<p>Chair thanked everyone for attendance and close the at 10.25pm</p>		

In response to the issues raised

1. meeting procedure
2. Alleged intimidation and disrespect to the CC directors
3. Clearly stated intention not to work with the CC/community

I feel it is necessary for the CC to retake control of our (the community's) trust which has been passed to the Trust directors when after a full year of review with no community consultation at all, the constitution was amend earlier this year. This still left anomalies within it that members of the community if made aware of would not be happy with.

This would be a temporary measure so that the CC, hopefully in partnership with the Trust, can undertake the work committed too by the Trust at its AGM, that is to fully consult with the community finding out what their expectations of the trust are, how they wish it to operate and what it should target the communities money on prior to changing the constitution.

Retaking control will then allow the CC as the only democratically elected body to represent our community's views, to change the constitution in such a way that it will be fit for the purpose of ensuring the trust can meet the community's aspirations in the way it functions and distributes the community's money.

At the culmination of this process it is anticipated all members of our community on the electoral role will be trust members and able to vote on future key trust issues and direction.

I therefore propose a motion we approve the following Sole member Special Resolution.

Read Resolution from start to finish

Company Number SC270423

20th August 2013

The Companies Act 2006

Private Company Limited by Guarantee

And Not having a Share Capital

Record of the Decision of the Sole Member

Of

Stratherrick and Foyers Community Trust Limited (the "Company")

Pursuant to section 357 of the Companies Act 2006, the sole member of the company hereby gives notice to the Company of the following decision which has effect as if agreed by the Company today in general meeting as a special resolution:

The following changes are made to the Company's Articles of Association:

Article 9.3 is changed to read;
No person shall be admitted as a member of the company unless he/she is approved by the member.

Article 9.4 is changed to read;
The member shall not be obliged to give any reason for refusing any application for membership.

Article 19.4 is changed to read;
Subject to article 18 and 21, any person who is willing to act as a director and is permitted by law so to do, may be appointed a director of the company by a decision of the member of the company at any time.

Article 28 is deleted

Signed by Chairman for and on behalf of
Stratherrick and Foyers Community Council _____

Print Name: _____

Date: _____

Witnessed by Trust Director _____