

Pier and Harbour Meeting, Collieston Community Centre, 23rd October 2008

Present: Councillors Davidson and Storr, Ewan Cowie, Sarah Gosden, Susan Taylor, Trish Cowie, Fiona Chaplain, Hazel Turner, Charles Esson, Rachel Hitchcock, Ken Ingram, Paul Ritchie, Steve Ritchie, Ian Bell, George Jamieson, Roger Berl, Sally Sheehan.

Apologies: Keith Newton, Councillors Merson and Owen, Niki Tait, Sheena Junor, Robin Mackie

Introducing themselves, the two Aberdeenshire Councillors explained that they are currently the only two active Harbour Trustees. The Act of Parliament *(1) establishing the Trustees require representatives from the Church, Slains Estate and Aberdeenshire Council along with locally elected trustees from the parish. Problems arose when it became apparent that under the present terms trustees have unlimited liability if any legal action were taken against the Trustees. While the Councillors, as representatives of Aberdeenshire Council, are afforded protection individual members of the community could be in a vulnerable position.

Debra Storr reported that partial updated survey of the pier has now been completed. Unfortunately this only relates to work required above the waterline. The structural engineers who carried out the report – Arch Henderson – have stated they have been unable as yet to send divers down to inspect below the waterline. Debra Storr said that as the engineers have identified an estimated cost of £225,000 for long term repairs for the identified work to date, it would not be unreasonable to expect the total cost of repairs to be in the region of £500,000.

However, the good news is that between all the various pockets of money held by different community groups a sum of approximately £40k has already been raised. Many funders expect communities to raise around 10% of the costs of a project, which would mean our community has already raised around 8%. Councillor Storr then went on to say that local fundraising on this scale would send a very positive message to potential funders Sally Sheehan said that the Heritage Lottery fund have expressed interest that this would be a project they might consider for either of their two main grant schemes.

Ian Bell asked for a breakdown of sums held by community groups. They are understood to be as follows:

Community Council (working fund)	4,265.89
Community Council (high interest account)	12,721.00
Formartine Area Committee (to be released)	1,000.00
Aberdeenshire Council (Coastal Protection)	7,500.00
CASCT (Dolphin Gallery)	3,359.25
Harbour Trustees (BTD)	10,311.24
Harbour Trustees (C/A)	4,540.66
TOTAL	£43698.17

Arch Henderson have identified both short and long term repairs – we need more detail as to what they mean by short term. In any event work will not begin before next summer.

Lewis Cowie asked if more funding might be obtained from Coastal Protection. Debra Storr believed it would not be unreasonable to ask, in view of the extent of funding required.

Ian Bell asked if Scottish Water had been asked to contribute in some way, either through a donation, paying rent or way leaves*(2). Debra replied that as Scottish Water is a public body she believed they would be unable to.

Ian also asked if the Crown Estate was a possible source of funding. Sally replied that we have contacted them previously but help was ruled out as the pier is in private ownership.

Isobel Davidson commented if the funding required for this major work can be obtained from one source initially, when future needs arise other funders could be approached.

Paul Ritchie asked if CASCT are successful in their bid for Big Lottery funding whether it might adversely affect us applying to the Heritage Lottery, while Ian asked if Heritage would be supporting the Olympics. Believed that this was not the case.

In reply to Charles Esson's question on who gave permission for Scottish Water to carry out their work, it was the Harbour Trustees.

Susan Taylor expressed concern about the damage which might be being done considering the scope of the work currently being undertaken.

Lewis Cowie had written to SW with worry that tar is to be applied to the surface, as he believes this to be inadequate. No reply as yet. Ian asked if Harbour Trustees along with the Community Council could also write.

Duncan Bell has carried out a detailed and very informative study into small north east harbours, with particular reference to Collieston. This will be invaluable for information to be submitted to future funders.

Ian was concerned at the projected costs identified in the survey. Debra Storr said that the surveyors estimate the costs, contractors then set their own. A benefit to the community is that the Council, via Keith Newton, have offered to do the tendering on the community's behalf.

All were agreed that without the results of the full survey being available, we would not be able to apply for grants. Discussion around what action we should take now. All agreed that we should not pay for the survey until it is carried out in full. At the same time we should be investigating an alternative company to undertake a survey, although this would involve additional cost.

Ken Ingram asked what the identified costs were in 2005. £17.5k was quoted then for urgent repairs. Without current information on the present state of underwater condition we do not know what costs might be in 2008.

General agreement that it is better to seek funding to complete the entire job, rather than carry out “cosmetic” repairs.

Ken asked what action the Council might take if the pier was breached this winter. Debra Storr replied that the Council would carry out whatever emergency repairs that were required. Debra then showed those present the area covered by the Trustees, which goes round to Cransdale. Mention made that the path round to Cransdale is in a dangerous state.

Steve Ritchie commented that it appeared there was general agreement that work should begin next year if possible. From past experience he said that it is essential that engineers start as early as possible in April or May. Commenting that all parts of the fund are widely spread and suggested it would be better if they all went back in one fund. Asked if the profit from music nights had gone to the pier fund. Sally assured him that this was the case.

Ian asked why we can't go back to having active Trustees, and was it because we had no insurance. Ken replied that there is insurance, but Debra Storr added it is actually because trustees would have unlimited liability which puts individuals in a very vulnerable position. A SCIO can transmute the Trustees into a charitable organisation but this will not be possible until 2010. Aberdeenshire Council currently provides protection for the two Councillor Harbour Trustees. Steve Ritchie was worried that if the pier is not maintained in good order, any insurance claim might not be met. Debra Storr believed the insurance covers personal injury.

An option that the Harbour Trustees might rent the pier to the village, and also that Community Council insurance might include the Harbour Trustees role was discussed, but would need further investigation.

Action points arising were

1. Councillor Isobel Davidson and Councillor Debra Storr would write on behalf of the community to Arch Henderson asking for a completion date of the full survey. They would also state that no payment was to be made until the full survey report was received.
2. Other sources for survey work to be investigated.
3. Debra Storr to talk to Neil McDougall from Council legal services about investigated the best configuration between the Community Council and the Harbour Trustees, also seeing what might be most attractive to potential funders.
4. Trustees to write to present fund holders to ask them to transfer money to either the Harbour Trustees or the Community Council.

5. Isobel Davidson to write to Scottish Water to query the possibility of way leaves*(2). Ian Bell asked if the letter could also include a request for an engineers report and how they intend to finish the surface of the pier and with what materials.

Meeting concluded by establishing that future significant developments will action future meetings of this nature and that minutes etc will be placed on the website (www.colliestononline.org) and in the hall.

*(1) http://www.uk-legislation.hmso.gov.uk/si/si1991/Uksi_19912513_en_1.htm

*(2) “way leaves” - payment made where a utility pays for the privilege of crossing land belonging to someone else