

Minutes of the Holmehill Community Buyout Group Meeting held on Tuesday 9th May 2006 in Leighton House.

In attendance: Caroline Crawford, Phill Tebbutt, Deirdre Wilson, Malcolm Wilson, Andrew Gould, Claire Watt, Heather Brennan, Dave Topliff, Richard Bland, Mr and Mrs Woolley, David Totten, Sarah Aldred, Jim Bennett and Catriona, Ron Lloyd, Sylvia Jackson

1. Welcome and Apologies

Caroline welcomed all present. Apologies were received from Rosemary Bland, Steve Mason, Gerard Hastings, Dave Prescott, John Seddon and Lesley Doyle

2. Minutes of Previous Meeting

The minutes of the meeting held on 19th April were approved. with amendments to item 7 which should have read that the group do **not** wish to be seen as 'Nimbys' and to item 10 that 3 bidders 'have applied to draw up a business plan' **not** 'to generate etc'. An amendment was made to the minutes of the meeting held on 15th March which stated that the judgement would be relayed firstly to the Scottish Executive. This was an error – the decision was communicated to all parties involved.

3. Matters arising There were no matters arising.

4. Appeal Case

I. Summary of Andy Wightman's views

This resume was communicated to all group members. In summary it concludes that the Sheriff is not able to question the decision of ministers and therefore found against Holmehill limited. The verdict does somewhat clarify the position with regard to late applications i.e. they will not be accepted. Sylvia Jackson added that the resume will be of assistance in the review of the Land Reform Act.

II. Legal advice re further action

Rosemary Bland and Steve Mason attended a meeting in Edinburgh with John Campbell QC and John Thomson of Simpson and Marwick. They advised against appealing the costs as this would be an expensive route to take. They took the view that we have acted in good faith, followed the legal advice given and been responsible. This should ensure that we incur no extra liability beyond the £1 we each committed. They advised us to call in the pledges and pay the outstanding legal bills and the costs owed to Scottish Churches House. John Thomson will write to the Executive and the Hilton asking them not to pursue us for the costs to enable us to remain operational as a group. If they do insist on pursuing costs we will have no choice but to go into liquidation. He will also write to the Sheriff Clerk to question whether due legal process was adhered to in not calling a hearing to discuss costs.

A discussion ensued about what we hope to achieve by remaining operational. It was agreed that the group now has a voice within the Dunblane community and is a natural forum for reacting to any plans for Holmehill. We are an important focus for awareness raising although the Development Trust could step into the breach if we cannot continue. It is felt that as a group we have credibility – eg we have been approached by the agents of - what we assume are - the new owners to discuss whether we might be willing to cooperate with them.

Sylvia Jackson outlined some of our options to continue our involvement in this issue. She suggested a Petition to the parliament outlining our case and how we feel the system has failed us. She suggested using Andy Wightman's resume as the starting point for this Petition. Whilst we don't want the matter to go cold we must also ensure we have fully

researched the main points. An alternative would be to try to raise a private members motion through herself or Mark Ruskell. The best outcome of these options would be an enquiry in the parliament and ultimately a change to both the guidance and the law. It will not alter the outcome for Holmehill Ltd. It would also be a forum for airing the view that the apparent right of appeal doesn't in fact exist if a Sheriff is unable to question the decisions of ministers. We should link that part of our grievance to this specific issue and express clearly the lack of satisfaction of the community at the case not being heard on its merits. Sylvia Jackson gave her opinion that the Executive may feel that they must pursue the costs as it is public money.

The group agreed to look into the possibility of a Petition. There is a format available including the correct wording. Sylvia Jackson will forward a copy of this to Rosemary Bland for us to discuss. We will need to go through the resume point by point and Caroline Crawford suggested that we do this with Andy Wightman present at a future date. Sylvia Jackson then left the meeting.

5. Coordination Group Report

The verdict from the case was released on the Scottish Courts website on 27th April. The decision was given against Holmehill Ltd and the costs of both the Executive and Hilton were awarded against us too. The Co-ordination group met on 29th April to discuss the implications of this decision. A press release was issued to 15 newspapers although most who covered the story had picked it up from the website rather than from our release. The Stirling Observer published an article on the following Wednesday. The group decided to write to the Dunblane Development Trust and the Community Council to arrange a joint meeting to discuss the whole community's response and the way forward.

6. Ballot Group Report

The ballot group has been wound down. Deirdre Wilson has been in touch with the Electoral Reform Society to inform that we shall not require their assistance. Caroline Crawford asked for the thanks of the group to be minuted to the Ballot group for their hard work.

7. Finances

It had been agreed to call in the pledges in order to enable us to pay our own legal costs. The pledges would not enable us to pay the costs of the Executive and Hilton.

8. Communications Group Report

Press releases have been drafted to cover future eventualities such as our response to any pursuit of the costs.

9. Events Group Report

No events are planned. Deirdre Wilson still has several items left which were donated as prizes for the cancelled Bingo night. Sarah Aldred will ask the Fling committee if we could operate a tombola at one of their events which would also enable us to pass on current information about our position.

10. Business Plan Update: Nothing new—still waiting to hear about lottery funding.

11. Any Other Business : None

12. Date of Next Meeting : Wednesday 17th May at 7.30pm in the Archie Craig Room. The following meeting will be on 21 June.