



Broom Kirkhill Mearns Kirk  
Community Council

<b>MEETING OF</b>	Broom, Kirkhill, & Mearns Kirk, Community Council	
<b>HELD ON</b>	Thursday 21 <sup>st</sup> June 2018 @ 7pm in Mearns Castle High School	
<b>WELCOME AND INTRODUCTION</b>	The Chairperson welcomed everyone to the meeting.	
<b>RECORDING OF MEMBERS PRESENT</b>	<p>An attendance sheet was circulated.</p> <p>In attendance: William Maxwell (Chairperson), Doug Pitt (Vice Chairperson), Jane Royston (Treasurer), Janet Olverman (Secretary), Gordon Muirhead</p> <p>Also present: Cllr Bamforth, Cllr Swift</p>	
<b>APOLOGIES</b>	Bev Brown, Ron Gimby, Cllr Grant, Rob Jones	
<b>ITEM DISCUSSED</b>		<b>Action Points</b>
<b>MINUTE OF PREVIOUS MEETING</b>	The Minute of the meeting on 19 <sup>th</sup> April 2018 was proposed by Janet Olverman and seconded by Gordon Muirhead and approved by the Community Council.	
<b>MATTERS ARISING</b>	There were no matters arising	
<b>POLICE REPORT</b>	<p>Two police officers attended the meeting to present their crime report for the period 15 May – 18<sup>th</sup> June 2018</p> <p>1. Homes being broken into</p> <p>Sometime between about 11pm on the 17th May and 7am the following morning, a house in Garrick Avenue, was broken into. Two motor cars were subsequently stolen. These have since both been recovered. During the course of enquiries it was further established that a number of items had also been stolen from an insecure car that was parked at a neighbouring address. Enquiries are ongoing into these crimes.</p> <p>About 11-15am on the 9th June a sneak-in theft occurred via an insecure door at an address in Eaglesham Road, Newton Mearns. A car was stolen and reported shortly thereafter. A 37 year old man was arrested the same afternoon, appeared at court, and was remanded to prison pending further criminal proceedings in relation to this matter.</p> <p>Sometime between the 13th and 16th June a dwelling flat in Kirkvale Court was broken into. Enquiries continue into this crime.</p> <p>We again remind all residents to ensure that doors and windows are kept locked and secured at all times of day, and to consider installation of additional security devices such as intruder alarms and CCTV systems. Modern systems are readily available and affordable in most cases.</p>	



## 2. Antisocial behaviour and disorder

During the period under review we have received a total of 10 calls relating to youth disorder, with three of these in the vicinity of Broom park.

One of these incidents reported that about 10.30pm on the 6th June in Ayr Road, Newton Mearns a group of youths were conducting themselves in a threatening and abusive manner towards a local resident. A crime report has been raised in relation to this.

Two episodes of vandalism to cars have been reported, one the 24th May (Paidmyre Road) and the other on the 12th June (Raeside Avenue).

Officers are also investigating vandalism to a garden ornament in Newton Grove, Newton Mearns that occurred sometime between the 18th and 19th May.

## 3. Violent crime

No crimes of violence in public locations in your Community Council area have been reported during the period under review.

## 4. Drug dealing and misuse

No drugs offences have been detected in your community council area during the period under review.

## CRIME PREVENTION

Now that warmer weather has arrived and we are spending more time following outdoors pursuits, please remember to secure valuable items such as bicycles at the end of each day. Across East Renfrewshire we have received a number of reports of thefts of property from gardens.

Please report any suspicious persons or activity via 101, or in an emergency, by dialling 999.

The Chairperson enquired if the Broomburn Park disturbance was caused by local kids and alcohol.

Police advised that it wasn't caused by local youths and alcohol wasn't a factor.

A resident enquired about break-ins at Aldton Park where there are MacTaggart and Mickel houses. Cllr swift said that a temporary CCTV camera has been installed and MacTaggart and Mickel have been asked to plant defensive shrubbery around the area.

Cllr Bamforth explained there had been an issue with doors not locking properly, or residents not understanding how to lock them properly, but this has been resolved.

The Police stated that the break-ins have reduced since



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	<p>CCTV has been introduced.</p> <p>Janet to ask Vincent McCullough to put the Police report onto the Website.</p> <p>Doug Pitt enquired about the parking on pavements consultation, has the law been passed yet? The Police advised that this is going through parliament at the moment.</p>	<p>Janet to send police report to Vincent</p>
<p><b>ADDRESS BY ELAINE GROGAN ERC</b></p>	<p>Elaine Grogan, a community worker from East Renfrewshire Council, gave a presentation about an early stage Dementia group called Fairweather Memory Lane.</p> <p>They are planning to introduce a club of sorts within the Newton Mearns area in order to ensure some of the needs of carers and their loved ones are addressed.</p> <p>Elaine asked if anyone would be interested in becoming involved, either as a committee member or a volunteer they are welcome to come along for a chat and a cuppa on 27<sup>th</sup> August from 10-12pm in Fairweather Hall.</p> <p>Please contact Elaine Grogan on 0141 577 3657 or <a href="mailto:elaine.grogan@eastrenfrewshire.gov.uk">elaine.grogan@eastrenfrewshire.gov.uk</a></p> <p>Elaine asked the Community Council for approval of this scheme, which was given unanimously.</p> <p>Cllr Bamforth enquired if they have a plan for transporting people to these groups.</p> <p>Elaine commented that they encourage carers to also attend and would expect them to provide transport.</p> <p>Janet Olverman suggested the Crookfur Pavilion might be a suitable venue for this group to meet within our CC area.</p> <p>Elaine stated that the meetings would be free to begin with but there may be a small charge later for tea and to pay for hire of a hall.</p>	
<p><b>ROADS AND PAVEMENTS</b></p>	<p>Gordon Muirhead informed the CC that the Herald had published his letter about roads &amp; pavements but he hadn't seen any comments about it online.</p> <p>As a last resort, Gordon proposed setting up a petition using the group 38 degrees and enquired if anyone knows how to set up a petition could they please contact him.</p> <p>The Chairperson said this could be explored.</p> <p>Gordon mentioned that road repairs are going to be done by drones which may speed things up a bit!</p>	



	<p>Doug Pitt enquired if there is a schedule for filling in potholes?</p> <p>Cllr Bamforth stated that in the budget link on the ERC website you will find a list of roads scheduled for repair.</p>	
<b>SPSO REFERRAL</b>	<p>Update from Doug Pitt</p> <p>Doug gave a summary of the current situation and why we are taking this case to the SPSO.</p> <p>The SPSO will judge whether a case of maladministration is deemed to have occurred.</p> <p>We can support complainants but the CC is not able to submit a complaint directly.</p> <p>Examples of the complaints to be submitted are:</p> <ul style="list-style-type: none"><li>• a consultative deficit</li><li>• misdirection by officials of the Planning Advisory Committee with regard to flooding issues</li><li>• whether true duty of care has been exercised by ERC</li></ul> <p>There was discussion about whether ERC are acting fairly within the jurisdiction of Scottish planning law.</p> <p>It was noted that ERC are operating in multi-agency environment.</p> <p>There are two pieces of legislation which say ERC should consult proactively at an early stage in these matters. (Scottish Planning Policy 2009 and 2014).</p> <p>We understand that the SPSO cannot overturn a planning decision however we would like them to adjudicate on the reasonableness of the present situation.</p> <p>We understand that the SPSO cannot overturn a decision however we would like them to pronounce on the reasonableness of what has occurred here.</p> <p>The following remedies will be sought:</p> <ul style="list-style-type: none"><li>• Independent adjudication of 'reasonableness' and 'fitness for purpose' of the current processes characterising flooding prevention.</li><li>• To Review ERC compliance with their 'duty of care' obligations under the current statutory framework.</li><li>• An assessment of the validity of ERC's interpretation of its role as flood prevention officer.</li><li>• An examination of ERC's exercise of its duties and obligations as a primary member of its organisational set.</li><li>• An assessment of the dynamics and problematics of multi-organisational/inter-organisational relationships and the key issue of the diffusion of</li></ul>	



	<p>responsibility therein</p> <ul style="list-style-type: none"><li>• To seek recommendations for service improvement in respect of constructive community engagement based on the principles of Glasnost (openness and honesty) and Perestroika (to modernise and rebuild) where, for example, it was very concerning that at a recent meeting with Scottish water (April 18<sup>th</sup> 2018) they said they are not sure with whom to deal at ERC. A comment in itself which raises issues.</li></ul> <p>It has proved very difficult to organise a constructive discussion about these issues.</p> <p>The Chairperson commented that ERC had shown a lack of diligence with their role as Flood Prevention Officer for this area and he thanked Doug for his efforts.</p> <p>The SPSO referral will be submitted over the summer.</p>	
<p><b>REPORT ON FLOOD RISK COMMUNITY GROUPS NETWORKING EVENT</b></p>	<p>The Chairperson reported that he attended a meeting in Perth with Dr. Michael Bradnam, Technical adviser of Newton Mearns Residents Flood Prevention Group.</p> <p>He listened to a presentation about SEPA's flood risk assessment which is attempting to correlate information concerning flooding and the effects on human health.</p> <p>This has been requested of SEPA by the Scottish government.</p> <p>Sea level is expected to rise and combined with increased rainfall will cause increased flooding from rivers and run off which is a major cause of concern in Newton Mearns.</p> <p>Some of the drainage systems installed in the past are of insufficient capacity to deal with the current drainage water levels let alone those of the future.</p> <p>The Chairperson explained that Newton Mearns is considered a medium flood risk Potentially Vulnerable Area (PVA) with a 1 in 200 chance of flooding.</p> <p>He reminded everyone that there have been many instances of flooding this year.</p> <p>SEPA are asking people to contribute to a consultation on potentially vulnerable areas by 31<sup>st</sup> July. This can be found at:</p> <p><a href="https://consultation.sepa.org.uk/evidence-and-flooding/pvas2018/consult">https://consultation.sepa.org.uk/evidence-and-flooding/pvas2018/consult</a> view</p> <p>Dr. Bradnam's presentation at the Flood Forum suggested a more positive way forward.</p> <ul style="list-style-type: none"><li>• More joined-up leadership in Flood Risk Management</li><li>• Local Authorities appoint Flood Prevention Officer(s) with hydrology qualifications and training for staff and Planning Applications Committee in Flood Risk</li></ul>	



	<p>Management</p> <ul style="list-style-type: none"><li>• SEPA – more consideration of offsite flood risks provided by developments (e.g. hydrology of receiving watercourses, long-term storage and building on ‘culverted’ flood plains)</li><li>• Scottish Water – greater integration into the planning application process to minimise “silo” thinking about inter-agency responsibilities</li><li>• That Scottish Government guidance for the conduct of PACs requires update, especially in consideration of offsite flood risk.</li><li>• Improved engagement with Community Councils</li><li>• Inclusion of consideration of the Flood Risk Management Plan by local authorities and at PAC meetings.</li><li>• Should constituted groups become statutory consultees?</li><li>• Increased public awareness of flood risk</li><li>• To introduce local volunteer flood watches and recording of flooding events.</li><li>• To work with the Scottish Flood Forum</li><li>• To develop improved communication and relationships between interacting bodies</li><li>• To request improved and sustained capital investment in sewer upgrades.</li></ul>	
<p><b>REPORT ON PAC MEETING 13<sup>TH</sup> JUNE 2018</b></p>	<p>The Chairperson attended the PAC meeting on 13<sup>th</sup> June 2018 and gave a summary of the proceedings.</p> <p>Planning applications 2017/0585/TP, 2017/586/TP and 2017/058/TP were discussed and approved</p> <p>Sean McDaid confirmed there were some errors in these applications and for the avoidance of doubt he confirmed the greenfield outflow rate should be 6.5 l/s per hectare rather than 8 l/s per hectare as printed.</p> <p>Cllr Miller asked if, in future applications for revision of house numbers on a site, developers be asked to explain why they apply for sites containing 49 houses or less. Cllr Ireland stated that that number precluded the developer having to undertake public consultation for changes in their plans. In this particular instance where a total of 106 sites being considered, sites of 48, 49 and 9 obviated the need for public consultation. Cllr Ireland would inquire about the legislation.</p> <p>Cllr Swift asked about SUDS and the lack of publically available information. The consideration of drainage once Planning Permission (2017/0712/TP) had been granted required the developer and Scottish Water to confer and</p>	



make their decision. There is presently no requirement for such information to be made available.

Cllr Swift made a plea that the PAC should hold developers to the original number of plots rather than allowing an increase in their number in the manner indicated above. Cllr Ireland suggested that would need a change in the legislation regarding Planning to be made by the Scottish Government. It is noted that 2017/0712/TP granted 873 building plots. However, subsequent modifications via local planning applications has now increased the total to 1060 plots, an increase of nearly 28% in the potential number of houses/flats.

The revisions to planning permission were passed unanimously.

#### COMMENTS FROM THE PUBLIC AND BK&MCC

A member of the public enquired why ERC can't reduce the permitted maximum outflow rate to such an extent so that the run off is reduced and this issue would cease to be a problem.

Dr Bradnam commented that the way things are handled has changed. The developer has to have an agreement with Scottish Water who give permission to connect to the sewer. Scottish Water has been told by the Government that their policy is not to object!

It is suggested that this agreement ought to be made at the beginning of the planning process rather than at the tail end.

Providing the PAC is provided with all the relevant information, the planning decision should confirm that everything is OK, by checking the calculations.

Furthermore, once the development has been finished Scottish Water may not vest the sewers, SUDS or outflow if they deem them to be substandard.

The Planning Act 2009 does say that ERC is the last resort for flood prevention however they do not have the expertise to scrutinise the drainage calculations. It would appear that nobody is exercising precautionary management.

Andrew Cahill has told Cllr Bamforth that ERC cannot impose any conditions on Scottish Water regarding a development. What has been agreed between Scottish Water and a developer has to be accepted. But, Scottish Water may not vest a system if it decides the system provided by a developer is unsatisfactory. Such a system may therefore lead to downstream flooding but no authority appears to accept responsibility for such flooding.

BKMCC notes that ERC should be the first responder for flooding within streets, pathways and gardens. But such a response does not normally occur. Scottish Water is only



legally required to respond if flooding occurs internally. However, the BKMCC notes that Scottish Water frequently responds for disinfection and wash down as a courtesy.

Dr. Bradnam gave the example of the proposed development at the Malletsheugh Inn where the developer could not prove that the development would not cause flooding and was refused by the Scottish Reporter.

A member of the NMRPFG stated that ERC does not have the expertise. Previously Strathclyde did have the resources but it was disbanded in April 1996.

If local authorities cannot integrate and manage this problem across the west of Scotland, they have an administration, and a major, potential public health and safety issue. They could fund it between them and this should be pointed out to the Government.

Cllr Swift suggested arranging a meeting with MSP Jackson Carlaw to discuss this matter and ask him to take it to the Government.

Doug Pitt commented that we should pursue this issue of pooling resources for providing this service.

A member of the public asked how the public can find out about these large developments.

The Chairperson explained that developments over 50 units are supposed to be subject to community consultation and should be advertised in the Extra.

Since Maidenhill, there have been a number of local plans submitted.

There is a loophole in the planning law where builders can sub-divide plots of 160 houses into sub units of 49 or less and submit them as a Local Development whereby they are not required to be subject to public consultation.

Cllr Bamforth said ERC cannot refuse planning. She stated that a PAC meeting at ERC cannot force developers and Scottish water to install drainage.

The BKMCC does not agree with Cllr Bamforth's interpretation.

Doug Pitt stated that it is about time groups like CC's etc. put pressure onto the Government to encourage them to sort this out.

A member of the public commented on whether the Planning Applications Committee could decline the Maidenhill application. She stated that the Planning Application Committee could not decline the planning application. Nor is Scottish Water allowed to object to a planning application. Scottish Water need to take the lead, planners cannot go over their heads.

There was some discussion about greenfield run off rates and how one application has even got the wrong rain fall figures. Roads Dept. have a lack of technical ability and





	have got their figures wrong on several occasions.	
<b>MEETING WITH FLOOD RISK MANAGEMENT TEAM – SCOT GOV.</b>	NMRPG and BK&MCC are arranging a meeting with the Scottish Government to discuss the handling of the flooding issues in this area. We are waiting a date from the Government.	
<b>QUESTIONNAIRE ABOUT POTENTIAL ITEMS FOR ATTENTION</b>	<p>The BK&amp;MCC feel we have been pretty much ignored by ERC and receive very little feedback as a public body.</p> <p>There was a suggestion to develop a door to door questionnaire about Community Council meetings and how the residents perceive them. Also to develop suggestions as to what they would like the CC to discuss.</p> <p>Jane Royston advised that there are two proposed CC Networking meetings:</p> <p>5<sup>th</sup> September at Barrhead</p> <p>5<sup>th</sup> December at Eastwood House.</p> <p>Jane Royston said other CC's had been successful in obtaining grants however it could be more difficult for our area which is affluent.</p> <p>A member of the public advised that previously there had been a consultancy at the Avenue but this didn't provide much feedback.</p> <p>ERC have been running a citizens panel for a number of years and aim to have 1000 people. They currently have 800. An annual report is produced but there is no funding so people lose heart.</p> <p>A suggestion was made to apply for funding to make over Broomburn park, which has lost another tree.</p> <p>Suggestions were made for new planting and an improved play area. A number of trees have died and require replacement.</p> <p>One way of fundraising would be to liaise with local churches and arrange a coffee morning.</p> <p>A suggestion was made to hold a fundraising ceilidh.</p> <p>The Treasurer confirmed she had received the £511 grant. We have now £800 in the bank.</p> <p>Another suggestion was to improve the appearance of the Broom shops. The hooks for the hanging baskets are not safe to be used and need to be lowered.</p> <p>Jane Royston offered to contact Carol in the New year and apply for money for planters.</p>	
<b>INVOLVEMENT IN SOCIAL SCIENCE RESEARCH</b>	The Chairperson advised that he had been approached by Esther Carmen (PhD researcher, University of Dundee) for assistance with a research project. The Project is entitled <b>"the nature and role of social capital for community</b>	



	<p><b>resilience”</b> Esther wants to find out if social relationships and networks are important for community resilience initiatives and how.</p> <p>Method: The idea is to interview two key people (separately) involved in shaping each community initiative. Each interview will take about an hour, arranged at a convenient time and place.</p> <p>These interviews will begin with the question: What relationships (e.g with organisations, other groups or individuals) are important for your initiative? Participants and the Research Group will then examine together 5-8 of the most important (in your opinion) relationships for shaping your community initiative.</p> <p>Funded by the UK Social Sciences Research Council this research is recognised as relevant by the Scottish Government and various national non-government organisations in Scotland. The outputs of this research will be publicly available and will also be communicated directly to interested parties to help them in their understanding about how to better support community resilience processes in practice.</p> <p>Getting involved in the research could also be useful for each community initiative by providing an opportunity for reflection and to feed into your thinking about moving forward.</p> <p>If anyone is interested in assisting with this research please contact the Chairperson.</p>	
<b>DATE OF NEXT MEETING</b>	Monday 17 <sup>th</sup> September 2018 at 7pm in Mearns Castle High School Conference Centre	

With there being no further business the Chairperson thanked everyone for attending, wished everyone an enjoyable summer break and closed the meeting

#### **FUTURE MEETING DATES:**

All at 7pm in Mearns Castle High School Conference Centre unless indicated otherwise

Monday 17<sup>th</sup> September 2018  
Monday 15<sup>th</sup> October 2018  
Monday 19<sup>th</sup> November 2018  
Monday 17<sup>th</sup> December 2018  
Monday 21<sup>st</sup> January 2019  
Monday 18<sup>th</sup> February 2019  
Monday 18<sup>th</sup> March 2019  
Monday 15<sup>th</sup> April 2019  
Monday 20<sup>th</sup> May 2019 AGM  
Monday 17<sup>th</sup> June 2019