



MEETING OF	Broom, Kirkhill, & Mearnskirk, Community Council	
HELD ON	Monday 22 nd October 2018 @ 7pm in Mearns Castle High School	
WELCOME AND INTRODUCTION	The Chairperson welcomed everyone to the meeting.	
RECORDING OF MEMBERS PRESENT	<p>An attendance sheet was circulated.</p> <p>In attendance: Will Maxwell (Chairperson), Janet Olverman (Secretary), Ron Gimby, Bev Brown, Rob Jones</p> <p>Cllr. Barbara Grant, Cllr. Jim Swift, Cllr. Caroline Bamforth</p> <p>In attendance: MSP Jackson Carlaw</p>	
APOLOGIES	Doug Pitt (Vice Chair), Jane Royston (Treasurer), Zhada Robertson	
ITEM DISCUSSED		Action Points
MINUTE OF PREVIOUS MEETING: MATTERS ARISING	<p>Minute of the Meeting 17th September 2018.</p> <p>Matters arising</p> <p>The Chairperson stated a member of the public had questioned a statement made by Cllr Bamforth that PAC meetings cannot impose conditions about drainage upon Scottish Water and developers or Reject planning applications. This was minuted in both the BK&MCC minutes of 21st June and 17th September.</p> <p>“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.”</p> <p>Additionally, although not present at the meeting on the 17th September, the Chairperson wished to give Cllr. Bamforth an opportunity to comment on the following extract from the Minute:</p> <p>“A member of the public voiced that ERC is the Flood Prevention Authority. Under the flood risk management Act 2009 the local authority is the designated authority responsible.</p> <p>The Chairperson concurred with this point of view. Doug Pitt said he felt that the powers are more optional than obligatory.</p> <p>“It has been stated more than once that the Planning</p>	



Applications Committee cannot reject an application – see Minute of BKMCC meeting dated 21st June 2018.”

The Chairperson asked why Cllr. Bamforth had not responded to his email.

Cllr Bamforth denied having received any such email from the Chairperson and emphatically stated that she would have happily responded to his request. She also commented that there had historically been issues with her not receiving emails from the Chairperson, because of an erroneous email address being used. The Secretary confirmed this had been an issue but thought it had been rectified.

The Chairperson read the contents of his email.

Cllr Bamforth explained that at a recent meeting with Scottish Water she had asked them the question of whether ERC are able to impose conditions upon Scottish Water, but was told categorically no.

She does however understand that ERC are able to refuse a planning application but she emphasised “we cannot reject any application on the grounds of drainage.”

The Chairperson commented that an anomaly exists where Scottish water don't finalise plans until after planning application is approved. He advised that these issues were raised at the meeting with Scottish Government last month.

Ron Gimby commented that developers have to apply for permission to connect to the drainage system and Scottish Water won't talk to a developer about this prior to planning permission being granted. Scottish Water do not recommend refusal of a planning application but they may state that the developer has to pay the connection costs.

The Chairperson commented that there are a number of local developments within Newton Mearns which have not been adopted, that is vested, by Scottish Water, resulting in additional flooding. In these instances developers may find it cheaper to employ a factor to monitor and alleviate the problems rather than upgrade the drainage system.

The Chairperson advised that this issue was raised at the meeting dated 10th September with the Scottish Government and others in Edinburgh. The resolution is beyond the powers of ERC or the Councillors.

Cllr Grant commented that currently there is a new planning bill going through Scottish parliament although it is unclear if the amendments are going to address the specific role of Councils and Scottish Water and asked if the Chairperson had read the draft Bill.

The Chairperson offered to undertake this considerable



	<p>task prior to our next meeting.</p> <p>The Chairperson thanked everyone for their comments.</p> <p>The Chairperson placed the motion on the table that the Minutes of the meeting of the 17th September were a true record of that meeting. This motion was seconded by Ron Gimby.</p>	
POLICE REPORT	<p>The Chairperson read out the Police Report for the period for the period 10th September to 11th October 2018.</p> <p>Homes being broken into</p> <p>At about 1-45 am on Monday 8th October, a house in Craignethan Road, Whitecraigs, was broken into and the householders vehicle was stolen.</p> <p>Sometime between the 5th and 8th October an attempt was made to break into a house in the Loaning, Newton Mearns. No entry was gained.</p> <p>At about 2am on the 9th October, property was stolen from a vehicle in Belford Grove, Newton Mearns.</p> <p>About 4-30am, later that same morning, an attempt was made to break into a house in Larchfield Avenue, Newton Mearns.</p> <p>On the 9th October, 2 men were arrested in the Thornliebank area, and following enquiries, both appeared at court on Thursday 11th October. They have been charged with a number of crimes relating to forced entry into vehicles and homes in the areas of Giffnock, Whitecraigs and Newton Mearns. This includes all four of the above mentioned crimes in our community council area.</p> <p>Other domestic housebreakings have occurred and remain under investigation. These occurred in the following locations</p> <p>26th September at Humbie Lawns</p> <p>1st October at Mearnswood Place</p> <p>On the 27th September a break in occurred at a business premises on Mearns Road. Three youths aged 13, 14 and 14 years respectively have since been identified as having committed this crime.</p> <p>Antisocial behaviour and disorder</p> <p>Throughout the period under review the Police have received two calls from members of the public relating to youth disorder. These occurred at Alloway drive (26th September) and Mearns Castle High School (5th October).</p> <p>Complaints of public nuisance in our community council</p>	<p>Janet to send full police report to Vincent and CC members</p>



area remain at very low levels.

Violent crime

No crimes of violence in public locations have been recorded in our community council area during the period under review.

Drug dealing and misuse

Police officers continue to undertake proactive patrols in our community council area and utilise their statutory stop and search powers whenever they can be applied lawfully.

The following drugs offences have been reported

19/09/18 Broomburn Drive 19 year old man Found in possession of cannabis

9/10/18 Ayr Road 39 year old man Found in possession of cannabis

9/10/18 Broomburn Dv 49 year old man Found in possession of cannabis

The Chairperson advised the meeting about Police Scotland’s After Dark campaign and gave the following advice published in their related pamphlet:

Some advice on keeping your home secure.

- Use timer switches on lights and radios to make it look as if your home is occupied
- Ensure all doors and windows are secure when you leave and when you go to bed
- If possible use security lighting at the front and back of your property
- Make sure all garden tools and ladders are locked away when not being used
- Use a good quality lock on any garden sheds and outhouses
- Make a note of all makes, models and serial numbers of your property
- Create a FREE private and secure inventory of all your personal property at www.immobilise.com

If you notice anything suspicious in your neighbourhood report it to Police Scotland on 101.

 scotland.police.uk  [@PoliceScotland](https://twitter.com/PoliceScotland)  [PoliceScotland](https://www.facebook.com/PoliceScotland)



The Chairperson also advised the meeting about the benefits of signing up to Neighbourhood Watch alerts

Further information may be found at

www.neighbourhoodwatchscotland.co.uk

By registering for this service members will receive crime prevention information relevant to both local and national issues.

Police Scotland Survey

Police Scotland have launched a new ‘Your View Counts’



	<p>Survey which BKMCC would strongly encourage residents to complete.</p> <p>The online survey can be found at https://www.surveymonkey.co.uk/r/CXH85XJ</p> <p>Comments from the public</p> <p>A member of the public reported that a few weeks ago he had contacted police via 101 but received the recorded message that "they are very busy and to call back or call 999".</p> <p>He tried several times to call 101, but always received the same message.</p> <p>The Chairperson offered to speak to our Community Relations Police Officer for advice.</p> <p>A member of the Public asked if the number of drugs offences and break-ins reported this month are normal or more than usual.</p> <p>The Chairperson advised they are about normal for this area.</p> <p>Cllr. Swift advised everyone to keep their car keys well away from front door.</p>	<p>Will to speak to Community Relations Police Officer about 101 calls not being answered</p>
<p>SPSO AND MAIDENHILL UPDATE</p>	<p>SPSO Submission</p> <p>The Chairperson advised that the SPSO submission has been completed and submitted. He conveyed his thanks to Doug Pitt for his tireless work.</p> <p>Maidenhill Development Update</p> <p>The Chairperson displayed some photos of the Maidenhill development site highlighting the progress being made with construction.</p> <p>One slide demonstrated that an overflowing ditch had been dug to alleviate flooding offsite.</p> <p>Another slide showed a muddy watercourse indicating a lot of silt is leaving the site, which can cause blockage of culverts. This flooding was reported to SEPA on 17th October.</p> <p>Another showed flood water running down the footpath above the Queens Gait development.</p> <p>Cllr. Grant advised the meeting that the Queens Gait development had been built in a 'bowl' which has always been very boggy. ERC had no intention of allocating this Greenfield site for development but the Government Reporter from Edinburgh overturned their decision and classified this land as suitable for housing. So their hands were tied and ERC had no choice but to grant permission.</p>	

The Chairperson commented that solving this problem is beyond remit of anyone present at this meeting.

Flood Risk Assessment –

The Chairperson reported that ERC still has not enacted a flood risk management plan which has been postponed until 2021. Until this is finalised they should behave as though there is one in place under The Flood Risk Management (Scotland) Act 2009; Local Authority Functions under Part 4 Guidance.

The Chairperson commented that the consideration by ERC and the Planning Applications Committee of flooding out-with any development by ERC is, apparently, negligible. Any plans for drainage from a particular site submitted by any developer to the PAC only extend to the perimeter of the specific site and modes of connection of foul and run-off drainage connection to the sewer system operated by Scottish Water receives no consideration of the impact on downstream watercourses or sewers out-with the site. This is a serious matter which needs to be addressed.

Most importantly, under the Flood Risk Management (Scotland) Act 209, downstream or upstream flooding should NOT be exacerbated as a result of new developments.

The Chairperson reported that Glasgow City Council now operate a mandatory self-certification scheme for a Flood Risk Assessment (FRA) for any residential development comprising more than 5 dwellings and for industrial or commercial developments of more than 250m²

The FRA requires that certification that any flood risk associated with the development will be managed now and in the future, taking into account climate change and should illustrate how the development will **not** increase the risk of flooding elsewhere. The FRA should be produced under the direction of a member of the relevant chartered professional institution with experience of flood risk assessment and management.

The FRA must also illustrate that there shall be no adverse effect on any watercourse and that flooding will not be increased in the surrounding area upstream and downstream as a result of the development.

To complete a comprehensive assessment the developer must:

- Be aware of all the relevant planning policy and



	<p>legislation;</p> <ul style="list-style-type: none"> • Complete technically accurate calculations; • Follow professional guidelines and procedures; • Certify that flooding will not pose a risk to the development; • Complete the required Compliance and Independent Check Certificate; • Submit evidence of appropriate Professional Indemnity insurance. <p>The FRA and its associated Development Impact Assessment (DIA) should demonstrate, using up to date techniques, that the rate and volume of surface water runoff from the post-development situation will not exceed the greenfield surface water runoff from the existing site. More importantly, the proposed method used for drainage should ensure that there is no increase to the probability of flooding within the receiving watercourse and local area, upstream or downstream from the site.</p> <p>The Chairperson encouraged ERC to take this philosophy on board.</p>	
<p>NMRFPG AGM</p>	<p>The Chairperson advised the meeting that the Newton Mearns Residents Flood Prevention Group have been working to resolve these issues and their AGM is being held on Monday 12th November 7-9pm in the Conference Room at Mearns Castle High School.</p> <p>THE PURPOSES OF THE GROUP ARE :- To act in the Public Interest to protect people and properties in Newton Mearns from flood risk, including: -</p> <ul style="list-style-type: none"> (1) encourage improved flood prevention and flood management measures (2) encourage public awareness and flood resilience (3) scrutinise and make representation on planning applications and Local Development Plans <p>The Chairperson encouraged any residents to attend this meeting.</p>	
<p>SCOTISH FLOOD FORUM</p>	<p>The Chairperson reported that those residents who fear they are at risk of flooding, or have experienced flooding, are able to appeal to the Scottish Flood Forum, an independent, charitable organisation which supports individuals and communities at risk of flooding.</p> <p>They have undertaken a survey of some local properties at risk of flooding and have recommended some methods of flood prevention.</p> <p>For further information their Web address is: https://www.floodlinescotland.org.uk/ or</p>	



	<p>scottishfloodforum.org.uk/</p> <p>Also information about Flood insurance is available on www.floodre.co.uk Flood Re UK can give advice about acquiring affordable flood insurance.</p>	
<p>OPEN DISCUSSION WITH JACKSON CARLAW MSP</p>	<p>The Chairperson welcomed MSP Jackson Carlaw to the meeting and thanked him for his attendance.</p> <p>New Planning Bill MSP Carlaw commented that reference was made earlier to the new planning bill which is currently going through parliament.</p> <p>This Planning Bill will include 100's of amendments. All parties are seeking to work together to progress as much positive change in the planning bill as possible.</p> <p>Crime MSP Carlaw reported that he recently met with the new commander and team of Police Scotland and was assured that East Renfrewshire is one of the local authorities with the lowest level of crime in relation to the rest of Scotland.</p> <p>However he pointed out that there had been a couple of notable incidents reported:</p> <ol style="list-style-type: none">1. Overlee Park where a large number of School children celebrating the end of term, were set upon by youths from outside East Renfrewshire.2. The specific targeting of Asian households with high net worth – all of the perpetrators of these crimes have been arrested. <p>Flood Risk MSP Carlaw had asked his team to give him a briefing for this meeting. He reported that in Scotland, Councils are the Planning Authority for flooding, working in partnership with SEPA and other relevant bodies – it is the council's responsibility to maintain and implement flood protection actions within the local flood risk management plans.</p> <p>Councils, in this case ERC, are responsible for inspecting, clearing and repairing watercourses to reduce flood risk. They are also responsible for maintaining road gullies but only for roads which have been formally adopted by ERC.</p> <p>During periods of severe flooding it is ERC's responsibility in partnership with the emergency services to co-ordinate shelter for people who have been evacuated. However there is no legal requirement for them to provide sand</p>	



bags and other flood preventative measures.

MSP Carlaw advised the meeting that Under The Flood Risk Management Scotland Act 2009 Scotland is split into 14 local plan districts. Within each local plan district one council is designated as the lead authority. The Lead Authority is responsible for the co-ordination and publication of the Local Flood Risk Management Plan. ERC is part of Clyde and Loch Lomond flood risk management plan and Glasgow City council are the lead authority. The other councils involved in this plan are: Argyle and Bute; East Dumbartonshire; Inverclyde, North Lanarkshire, Renfrewshire; South Lanarkshire; Stirling and West Dumbartonshire.

The plans are reviewed every 6 years. The current plan runs until 2022.

Cllr Grant enquired if his team had been able to clarify Scottish Water's responsibilities.

MSP Carlaw advised that Scottish Water have confirmed that drainage is the responsibility of the developers initially, but thereafter responsibility falls onto Scottish Water so any remedial work will have to be paid for by Scottish Water. They argue that it's in their interest to ensure that the contractor fulfils their obligations at the start.

The extent to which this actually happens is open to speculation but this is the argument put by Scottish Water.

MSP Carlaw expressed disappointment with the reluctance of some ministers to do anything in relation to flooding in the Greenlaw Road area.

Cllr Grant stated that at a recent meeting with some developers she was informed that they would like Scottish Water to have some input in relation to the initial drainage plan for a new development but Scottish Water insist that the developers come up with their own plan. If Scottish Water would give the developers some guidance at the start it would be easier to come up with a workable plan.

MSP Carlaw stated that developers should be able to put together a workable drainage plan.

MSP Carlaw stated that the proposed Gladman development in Waterfoot was refused because ERC had produced a proper Local Development Plan which was up to date, for which he praised the Council. Under the current LDP there is no requirement for the provision of extra, new housing within Waterfoot.



Gladman find success in exploiting councils where their LDP's are not up to date. If permission is refused at local level, they may then take the application to the Scottish Government which in this case upheld ERC's decision because their LDP is up to date.

Flood Development Plan

The range of actions specific to Eastwood within the Flood Development Plan are:

Sewer flooding project being undertaken by Scottish Water proposes a new pumping station at Woodfarm playing fields – to receive storm flows from the existing combined sewer network. A new rising main is to transfer storm flows from this pumping station to a new combined sewer overflow at Robslea Drive.

ERC are required to undertake a surface water management plan to set aims on how to manage surface water flood risk and how to determine the most sustainable actions to achieve these.

New Leisure Centre

MSP Carlaw advised the meeting that ERC have initiated a decision to proceed with a new leisure centre. This was approved by an online consultation which had approximately 3000 responses. A lot of local people were unaware there was a consultation and many elderly people were unable to respond.

MSP Carlaw is opposed to this proposal on the basis that the existing site should be re-utilised. Good transport infrastructure, parking, train station, bus routes, are already in place. The two proposed alternative sites are Broom Park and Shawwood Park which have none of these facilities.

Paul Masterton MP and MSP Carlaw are concerned about the lack of public engagement and the Scottish Parliament and Westminster Parliament have approved the use of parliamentary funds for a full consultation by post with reply paid envelopes to every household in the affected communities, some 3000 households. This will allow every individual to participate.

MSP Carlaw informed the meeting about the experience of a leisure centre user, when he went to pick up a form at the site and mentioned he was concerned about the relocation elsewhere, he was told "he shouldn't bother returning the form as it wasn't the response the council wanted".



	<p>MSP Carlaw did explain that ultimately it is ERC's decision whether or not to proceed with this plan.</p> <p>A lot of people felt that the survey directed them to option 4 by saying things like it wouldn't be possible to redevelop the existing site because it would have to close.</p> <p>MSP Carlaw expressed bewilderment over why the closure of this existing site should cause so many problems, as the pool has been closed for a prolonged period before.</p> <p>Cllr Bamforth objected to MSP Carlaw's comment that the decision will be made purely on the basis of the consultation. She stated that this is only one of the factors that will be taken into consideration.</p> <p>Cllr Bamforth advised that there are new statistics out regarding schooling in the area and there will be a presentation/ meeting on Wednesday 24th October to discuss schooling followed by a full council meeting on 31st October where more information about the proposals will be made available. No decision will be made at this time.</p> <p>MSP Carlaw said that his questionnaire, which is being distributed to all Households in the affected area, will give a much clearer understanding of local feeling on this matter.</p> <p>GP Healthcare</p> <p>MSP Carlaw mentioned that the lack of GP healthcare provision is another issue concerning residents. Considering the vast amount of new housing being built, there have been no additional healthcare facilities provided within the same area.</p> <p>Cllr Bamforth explained that GP's are self-employed and we can only encourage them to come here. There is a serious shortage of GP's throughout the UK.</p> <p>MSP Carlaw stated that we can, within the development plans being produced, make provision for the establishment of a new GP healthcare facility.</p>	
	<p>Public Discussion</p> <p>Leisure Centre</p> <p>A member of the public stated that the leisure centre was a skewed consultation, there was no mention made of where a new centre would be sited.</p> <p>The Chairperson advised the meeting that the total number of votes cast was 3601, which is less than 4% of the total population, so to say it is a representative vote is</p>	



	<p>not true.</p> <p>A member of the public, who lives at one of the sites, stated that she only found out about the consultation shortly before the closing date. She phoned the council and was told that it was only for the users of the leisure centre.</p> <p>A member of the public commented he is very concerned about the loss of our greenspace and asked what else we can do to try and influence the decision.</p> <p>The Chairperson stated that he will contact all the other Community Council's in the affected areas and engineer a common statement which shall be forwarded to the council.</p> <p>A member of the public stated that it was only a couple of years ago the council consulted residents for suggestions on how to improve the Shawwood greenspace. There were many responses include new planting, wildlife areas and benches. The council subsequently planted some new trees along the roadside of the park and now ERC are talking about building on this area.</p> <p>The Chairperson advised that he had attended the council meeting where the results of the Leisure Centre consultation were discussed. Cllr Swift made a very strong case that the difference in results between option 3 and 4 was only 2 votes.</p> <p>At this council meeting, in spite of the fact that a number of people were expressing extreme disquiet about the way this consultation was carried out, the Lord Provost said "Ultimately the councillors will make the decision".</p> <p>Cllr Swift would encourage ERC to protect their green spaces in the same way as Glasgow City Council.</p> <p>Bev Brown expressed concern about the affect losing this greenspace would have on residents lives; their property values and losing something which makes Newton Mearns such a desirable place to live.</p> <p>In conclusion the general consensus of the meeting was that if the leisure centre is to be rebuilt, it should remain at its present location, Eastwood Park, which is more central to the area and more accessible by public transport.</p> <p>The chairperson thanked MSP Carlaw for his illuminating comments.</p>	<p>Will to contact CC's and write joint statement</p>
--	---	---



<p>PLANNING APPLICATIONS UPDATE</p>	<p>The Chairperson reported that BKMCC has placed an objection to one Planning Application:</p> <p>Planning Application 2016/0643/TP 117 plots within the Malletsheugh East development by Mactaggart and Mickle. (The Plot opposite Mearns Primary School at Hunter Drive)</p> <p>The objections related to</p> <ol style="list-style-type: none"> 1) The developers plan to drain into the already overloaded sewer system. There is no mention of the new sewer defined in the DIA dated August 2017. 2) A hydrological study has been carried out in 2016 using an incorrect annual rainfall figure. The actual value is 1276mm per year not 1000mm. This needs to be addressed by the PAC. 	
<p>REPORT ON ERC AUDIT AND SECURITY MEETING</p>	<p>The Chairperson reported upon the Audit and Security Meeting of 27th September 2018.</p> <p>ERC's annual accounts recorded an underspend of £7.368m.</p> <p>Cllr Bamforth stated that the minutes from the cabinet meeting on Thursday 18th October show they discussed spending of the underspend.</p> <p>A member of the public suggested that the savings would be better returned to the tax payers.</p> <p>Cllr Bamforth explained that expenditure is not always predictable. And gave an example of savings on utilities and receiving extra funding for wrap-around care.</p>	
<p>PROTECT EAST REN PARKS & PUBLIC OPEN SPACES – DISCUSSION</p>	<p>The Chairperson proposed the motion 'Should the BK&MCC join the Protect East Renfrewshire Parks & Open Spaces Group?' This was seconded by Bev Brown and approved by all CC members.</p>	
<p>FUNDRAISING CEILIDH UPDATE</p>	<p>Bev Brown reported that a Fundraising Ceilidh is being planned to raise funds for The Newton Mearns First Responders, to assist with funding training equipment.</p> <p>SAVE THE DATE: Saturday 16th March 2019 at Whitecraigs Rugby Club, Aurs Road.</p> <p>The Kilbride Ceilidh Band have been booked.</p> <p>Food (a finger buffet) will be included and the evening will also include a raffle or silent auction and games.</p>	
<p>GENERATION OF A HOUSE TO HOUSE SURVEY</p>	<p>A House to House Survey had been suggested but it was felt that we should conduct our survey at a later date to avoid conflicting with MSP Carlaw's survey.</p>	

<p>AOB</p>	<p>Cycling in East Renfrewshire Councillors are invited to attend the Cycling event on 2nd November at the Pavillion in Rouken Glen Park.</p> <p>The Newton Mearns Flood Prevention Group's AGM will take place on Monday 12th November at 7pm in the Conference Room at Mearns Castle High School – all welcome to attend.</p> <p>Cllr Bamforth's email address It has been noted that Cllr Bamforth did not receive the email from the Chairperson, referred to earlier in this meeting. Janet to ensure the Chairperson has the correct email address for Cllr Bamforth.</p>	
<p>DATE OF NEXT MEETING</p>	<p>Monday 19th November 2018 at 7pm in Mearns Castle High School Conference Centre where Russell MacMillan of East Renfrewshire Good Causes will be speaking.</p>	

With there being no further business the Chairperson thanked everyone for attending and closed the meeting

FUTURE MEETING DATES:

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

- Monday 19th November 2018
- Monday 17th December 2018
- Monday 21st January 2019
- Monday 18th February 2019
- Monday 18th March 2019
- Monday 15th April 2019
- Monday 20th May 2019 AGM
- Monday 17th June 2019