

**DRAFT Minute of Meeting
Broom Kirkhill & Mearns Kirk Community Council
14th June 7pm at Mearns Castle High School**

MEETING OF	Broom, Kirkhill, Mearns Kirk, Community Council	
HELD ON	Wednesday 14 th June 2017 @ 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) Doug Pitt (Vice Chairperson), Janet Olverman (Secretary), Gordon Muirhead, Zhada Robertson, John Boyle, Ron Gimby, Robert Jones</p> <p>Cllr Barbara Grant</p>	
APOLOGIES	Elisabeth Jones (Treasurer), Cllr Jim Swift, Cllr Jim McLean, Sheila Hadfield, Jane Royston	
ITEM DISCUSSED		Action Points
MINUTE OF AGM	Minute of the BK&MCC AGM dated 10 th May was proposed by Doug Pitt and seconded by Will Maxwell and approved without amendment.	
CO-OPTION OF BEVERLY BROWN	The Co-option of Mrs Bev Brown to the Community Council was proposed by Janet Olverman and seconded by Doug Pitt and with no objections she was welcomed as a co-opted member of the BK&M Community Council.	
CRIME REPORT BY COMMUNITY POLICE OFFICERS	<p>Community Police officers Bonsor and Maclean presented their Crime report for the period 1/5/2017 and 11/6/2017</p> <p>The Full report will be available on the ERC Community Council website</p> <p>Assault There have been three crimes of assault:</p> <ol style="list-style-type: none"> 1. Two 14 year old males have been reported for an assault on a 16 year old youth in Neidpath Road East on the 13th May. 2. A 17 year old male has also been charged with assault and vandalism on the evening of 14th May near to Mearns Castle High School. 3. A 16 year old male has been charged with assault following an incident on 14th May Glamis Avenue whereby a resident was assaulted and verbally abused. <p>Drug use There have been no drugs offences</p>	

Drunk and Disorderly Behaviour

There has been an increase in the number of calls relating to youth disorder in the residential streets between Mearns Road and Mearns Castle High School. No specific crime reports but aware of reports from residents around Broom shops and Ayr Road

House break ins and Theft

There have been a number of house break-ins reported.

Residents are reminded to keep car keys hidden away, to secure all doors allowing entry into a property, not only at night, but throughout the day. We continue to receive reports across East Renfrewshire of sneak-in thefts from dwelling houses.

Comments from the Community Councillors and Public

Doug Pitt raised aspects of traffic control, if we wish to complain to whom do we direct complaints?

The Police advised that our initial approach should be to the East Renfrewshire Council (ERC).

They also stated that if anyone was convicted for speeding it would be contained in the crime report.

Doug Pitt enquired what are the tactics to control speed in Waterfoot Road?

The Police advised they can monitor a specific road with manual speed guns if there is a problem with speeding and suggested contacting the Barrhead Police office with more details.

We should first approach ERC and request erection of signage.

Cllr Grant enquired if it is just Waterfoot Road that is affected and stated that because of the new school there must be restrictions on this road because of volume of extra traffic.

Cllr Grant volunteered to ask the Roads Department what the traffic signage provisions are going to be for Waterfoot Road.

Zhada Robertson enquired about the consultation I am confused here – which consultation?

The Police advised that in Nov 2016 there was a change in operational strategy. They introduced an online Public Consultation to try and establish Local priorities. Results can be viewed using the following link:

<http://www.scotland.police.uk/about-us/decision-making/public-consultation/local-policing-consultation/>

Doug Pitt

Cllr Grant

	<p>Maidenhill Development</p> <p>Following the Planning Application Committee narrowly approving this development without finalising the drainage/sewerage issues, the Sub-planning group met with the Newton Mearns Residents Flood Prevention Group to offer support and to see if there is anything that can be done now. In this regard the NMRFPG are going to give an update later in this meeting.</p>	
<p>TREASURER'S REPORT</p>	<p>In the absence of the Treasurer we were asked to note that we have now received the money from ERC and our bank account has a balance of £508.</p>	
<p>DEVELOPMENT OF A WEBSITE</p>	<p>Update from Zhada Robertson</p> <p>We have a Facebook page up and running which can be accessed using the following link https://www.facebook.com/Broom-Kirkhill-Mearnskirk-Community-Council-537287183328895/</p> <p>It's important for the Community Council to have a more digital presence and the intention would be to contain links to the other community groups within our area.</p> <p>We will also include links to the East Renfrewshire Council Community Council Web site page.</p> <p>It is still in the development stage and we are open for feedback.</p>	
<p>REPORT ON IMPROVING PARKING IN SCOTLAND A CONSULTATION"</p>	<p>The Chairperson presented a comprehensive report on the Parking in Scotland Consultation.</p> <p>In May 2015, Sandra White MSP introduced a Member's Bill entitled, "The Footway Parking and Double Parking (Scotland) Bill" intended to introduce prohibitions on pavement parking, parking at dropped kerbs and double parking, as well as to clarify the laws surrounding parking within East Renfrewshire and Scotland.</p> <p>This consultation is open to all and the deadline for responses is 30th June 2017.</p> <p>This consultation paper seeks views on how we can address the issue of pavement parking, as well as views on how best to manage disabled parking provision, and determining what parking incentives local authorities can provide for the uptake of ultra-low emission vehicles.</p> <p>The purpose of this Bill is to clarify and enhance the law regarding parking on pavements/ kerbs. It is not currently illegal to park on pavements in Scotland. However it is an offence to drive on the pavement. It is also an offence to</p>	

	<p>leave anything in the road which prevents safe passage.</p> <p>There is a questionnaire to complete online and we would encourage as many as possible to submit their responses using the following link:</p> <p>https://consult.scotland.gov.uk/road-policy/improving-parking-in-scotland/consultation/</p> <p>ERC does have powers to specify restrictions within specific areas.</p> <p>Comments from Community Councillors</p> <p>Doug Pitt enquired how do you park on a pavement without driving onto it?</p> <p>John Boyle commented that many streets are too narrow where you can't get past if you don't park on the pavement.</p> <p>He suggested that perhaps you could be permitted to park on the pavements providing you leave enough space for a buggy/wheelchair to get past.</p> <p>Public Comment</p> <p>When a Council put in a drop curb they should have double yellow lines on them to prevent people parking on them. This restricts the ability of disabled people to access the pavements.</p> <p>A lot of the problems arise with enforcement – ERC are wanting more power to enforce parking.</p> <p>Will Maxwell to prepare a draft response from the Community Council to be submitted.</p> <p>Zhada Robertson to put link on Facebook page.</p> <p>Will Maxwell to circulate the electronic document</p>	<p>Will Maxwell</p> <p>Zhada Robertson</p> <p>Will Maxwell</p>
<p>PRESENTATION BY JOHN SHELTON</p>	<p>The Chairperson introduced John Shelton ERC, Green Network Officer for ERC who gave a presentation about the Shawwood Greenspace Enhancement Project.</p> <p>He has a responsibility for developing and enhancing green spaces and encouraging community involvement.</p> <p>John explained the ideas behind this project.</p> <p>The plan is to</p> <ul style="list-style-type: none"> • Increase diversity • Increase visual interest • New opportunities for recreation 	

- Encourage local people to get involved.

This Greenspace is valuable in order to retain flood waters protecting downstream properties.

It provides a quality greenspace for people to enjoy.

ERC put out a community consultation to discover what people liked about the Shawwood greenspace. They received 157 responses with the majority in support of the proposed changes.

Most of respondents want to stay up to date with plans and some offered to assist by sponsoring tree planting.

What happens next?

ERC took a decision to take forward enhancements as there was sufficient support.

Some of the proposed enhancements are:

- Creation Wildlife Meadow
- Upgrading footpaths
- Enhanced tree planting
- Wider wildlife margins

Planting more mature Lime trees to line the Mearns Road corridor.

So far nearly 300 trees have been planted.

Unfortunately the request to stop the regular cutting of grass in green spaces has not yet filtered through to the ERC Department of the Environment or grass cutters.

There is a lack of any grass roots community group keeping an eye on the space and telling ERC what they want to happen with this space.

John Shelton enquired of the Community Council - How do we encourage greater community involvement & ownership?

Questions from the Community Council

Gordon Muirhead enquired by whom the land is owned?

The land was gifted to the council by a landowner in the 1960's.

Gordon Muirhead expressed concern that the alterations would no longer enable children to play freely as it's one of the only places where children can safely kick a ball about.

John Shelton responded that the plans do in fact leave enough green space for children to play but also provides a

	<p>more interesting area for recreation.</p> <p>Question from public</p> <p>Q. Is there a budget for this?</p> <p>A. ERC has no specific budget and there is a need to look for funding and donations.</p> <p>Q. What about the other Newton Mearns Parks which badly need upgrading. Why pick this one?</p> <p>A. It was decided to experiment with one of the greenspaces and Shawwood Greenspace was selected.</p> <p>There is a requirement for the Community Councils to become involved and to encourage as many residents as possible to assist.</p> <p>Robert Jones volunteered as the CC member to support the Greenspace initiative</p> <p>Ron Gimby proposed putting on the agenda for next time in order to discuss more fully.</p>	<p>Rob Jones</p>
<p>UPDATE ON MAIDENHILL PLANNING APPLICATION</p>	<p>The Chairperson introduced Dr. Bradnam of the Newton Mearns Residents Flood Prevention Group who gave an update on the Planning Application for the Maidenhill development.</p> <p>Dr. Bradnam expressed concern that objections the NMRFPG raised were not mentioned in the Handling report. They wrote to the Chief Executive to point this out but this Planning application was passed by a slim margin of 4/3 on 2nd June 2017</p> <p>The presentation was intended to highlight the issues concerning the whole determination process.</p> <p>Insurance</p> <p>The first item brought to the NMRFPG's attention by a local resident is House Insurance. An image was shown of a resident's insurance premium quote from a widely recognised insurer. The premium had increased from £256 pa (for a two bedroom terraced house) to £1,400 pa. The Insurer explained that they had done a flood risk assessment for the postcode and have decided to charge this higher level of premium. There is no right of appeal.</p> <p>One of the members of the Planning Committee said this is a material consideration and should be taken into account.</p> <p>At the Planning Applications Committee (2nd June 2017) the Planning officer stated that Insurance isn't a material</p>	

condition. BKMCC does not support that latter view.

Unfortunately in East Renfrewshire, members of the public are not permitted to address the Planning Committee so they were unable to correct this.

Another thing they should have taken into account is the flood risk management strategies.

Sewer flood threats

Scottish Water Horizons have put together a Development Impact Assessment (DIA) for how they are going to drain the Maidenhill Development.

There are two 'preferred' options – a cheap one (which the developers have chosen) at a cost of £1.25m and an expensive option at a cost of £2.65m.

However, the Planning Officer told the Planning Applications Committee that there is only one option.

The ideal solution would be to create new trunk sewer under public roads and public greenspace which would be accessible by mechanical digger.

However the developers want to upgrade the current pre-war sewer which runs through people's gardens, under garages and through the Mearns Village. This is despite the fact that Planning Regulations have changed in the meantime.

The Planning officer told Councillors that she was unaware that there is current flooding.

Planning officer told the councillors that you can put another 400 houses onto this sewer but couldn't say where it was shown that this would not cause additional flooding.

Scottish Water have confirmed that there are some houses draining into this sewer have experienced internal and garden flooding.

The people in Crookfur have complained about sewer flooding for 20 years. Since then Scottish water have permitted the building of Queensgate, Mearns Primary School and the top of Hunter Drive, all connecting to this sewer.

The ERC Council has asked the Councillors who are members of the Planning Applications Committee to sign off or approve that Developers may drain sewage from an additional 400 houses into this already over loaded sewer.

The NMRFPG have been asking Scottish Water since November 2016 how they are going to mitigate this and they still haven't provided a solution. They said "don't worry about it, it will be fine".

DIA says the sewer needs to be upgraded before building any more houses.

SEPA asked people to report sewer flooding when it's discharging into a burn – there is a number to call

Telephone: 0800 80 70 60

This is a 24-hour service, SEPA will attend immediately.

If flooding occurs in a street, garden or home the number to call is Scottish Water Customer Helpline - 0800 0778 778.

Affected households are advised to remember to take photos.

The Planning officer said she hasn't seen any pictures of sewer flooding. What is most perturbing in this circumstance is that many previously submitted objections concerning this development have contained pictures of sewer flooding.

109 individual objections have been submitted in the context of this development and many of these contained photographs of flooding. Had the Planning Officer not reviewed these objections?

The Planning officer also said that ERC Council couldn't stop Scottish Water doing something. ERC were powerless to say no to Scottish Water. However the Scottish Government say the Council does have the powers to say no if they think flooding will occur as they are the Flood Prevention Authority.

Another issue not included in the Handling report or raised at the Planning Committee meeting was the proposed sewer connection point at Langrig Road, which is higher than the roofline of adjacent properties and against planning policy.

In the event of flooding the sewage will run down the hill into the adjacent houses.

Watercourses

All the pinch points on the receiving watercourse, the Shawlin burn, should have been surveyed.

At the meeting the Planning Officer explained use of sustainable drainage systems (SUDS) and greenfield run off rates are required in order to determine their necessary capacity to eliminate any risk of flooding.

New Councillors were told that ERC had produced a rigorous report and said developers can release up to 8.0l/sec/ha the Greenfield rate.

This is not correct as the ERC Council run-off rate for Maidenhill (LDP 1 and LDP 2) is less than 6.5l/sec/ha

ERC have told the BK&MCC that previous flooding had been caused by culverts not being looking after or maintained by riparian owners.

It is against Scottish Planning Policy to build on flood plains. The Developers plan to build on/over a watercourse to which SEPA objected. The Developers had told SEPA they are going to cut off the water to this watercourse so it won't be a problem.

SEPA eventually removed their objection but with conditions they said the Council had to take their responsibility as Flood Prevention Authority seriously and said that they didn't entirely believe the developers data/information.

Another of the NMRFPG's objections is that ERC did not publish SEPA's original objection.

The issue of land-raising was not included in the handling report nor was it presented to the PAC. In order to build on/over this watercourse, the developers plan to raise the land by 5 meters so that it will slope down towards the properties in Wyvis Place.

Councillors were told that the quoted run off rate restricted to a once in two years occurrence. This is correct.

For any further information please contact the NMRFPG on their Facebook Page

<https://www.facebook.com/Newton-Mearns-Residents-Flood-Prevention-Group-281631578618874/>

The Chairperson advised that he and another member of the Community Council attended the Planning Applications Meeting and that he agreed with Dr. Bradnam's representation of the way the meeting was handled. As a result he proposes to submit a formal objection on behalf of the Community council and would encourage the other Community Council's to do the same.

Questions from Community Councillors and the public

Who do we raise objections to?

They should be directed to Lorraine McMillan – Chief Executive of East Renfrewshire Council

Zhada Robertson enquired what the current situation is.

Dr. Bradnam advised that the NMRFPG have submitted formal complaints about ERC's handling of complaints and their lack of openness with information.

There are a few scenarios:

1. The Chief Executive could call-in the planning

application.

2. The Government could call it in but that would require something of National interest.

However there are issues contravening the Aarhus Convention which has been adopted by European Law.

<http://ec.europa.eu/environment/aarhus/>

A member of the public enquired what are the councillors doing about not having their questions answered at the Planning meeting.

Dr. Bradnam advised that a Councillor was very unhappy with way the meeting was conducted and was going to submit a complaint.

A member of the public stated that she was appalled by the way the meeting was conducted and this should not have been heard at that time with brand new councillors who had only been in office for a few days. She was concerned that some councillors didn't ask any questions at all.

A member of the public suggested asking our MSP Jackson Carlaw to help.

Dr Bradnam advised it would be well worthwhile contacting all our list MSPs and also the new Conservative Westminster MP.

A member of the public enquired about taking legal action.

Dr Bradnam indicated that this would be difficult and explained that if any downstream flooding occurred due to the development it would be the developers at fault, but ultimately the cost would fall on the residents.

For example with the Queensgate development, residents are responsible for the Compensatory flood store as Scottish water have not adopted it. Therefore the residents of Queensgate will be liable for flooding Cheviot Drive.

For this development ERC refused to get the drainage calculations checked. They could have asked for the drainage calculations but Dr. Bradnam was advised that if they checked them and made a mistake they would be liable for any errors.

Zhada Robertson mentioned the new Maidenhill school and was concerned that any delay to the planning application would hamper the development of this school.

A member of the public commented that this school is not big enough as it is and this issue should be raised with ERC.

John Boyle raised a wider point that ERC do not take questions from residents at PAC meetings - is this usual?

	<p>Dr Bradnam advised that ERC are unusual in that they don't publish objections on the planning web site or allow questions from the public at the PAC.</p> <p>It was noted that the Scottish Government are trying to encourage greater community engagement and involvement in planning decisions.</p> <p>ERC explained their actions by saying it was a data protection issue.</p> <p>John Boyle asked how we can change this policy.</p> <p>You will have to speak to your councillors ask them to change this policy.</p> <p>The Chairperson thanked Dr. Bradnam for his informative presentation.</p>	
<p>DATE OF NEXT AGM</p>	<p>The next meeting of BK&MCC will be on Wednesday 6th September at 7pm in the Mearns Castle High School Conference Room.</p>	

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

Dates of Future meetings

- Wednesday 6th September 2017
- Wednesday 4th October 2017
- Thursday 9th November 2017
- Thursday 7th December 2017
- Thursday 11th January 2018
- Thursday 8th February 2018
- Thursday 8th March 2018
- Wednesday 4th April 2018
- Thursday 10th May 2018
- Wednesday 6th June 2018