

**DRAFT Minute of Meeting**  
**Broom Kirkhill Mearns Kirk Community Council**  
**19<sup>th</sup> April 2017 7.30pm at Mearns Castle High School**

<b>MEETING OF</b>	Broom, Kirkhill, Mearns Kirk, Community Council	
<b>HELD ON</b>	Wednesday 19 <sup>th</sup> April 2017 @ 7.30pm in Mearns Castle High School	
<b>WELCOME AND INTRODUCTION</b>	The Chairperson welcomed everyone to the meeting and said he was extremely glad to see so many members of the public in attendance.	
<b>RECORDING OF MEMBERS PRESENT</b>	An attendance sheet was circulated.  In attendance: Will Maxwell (Chairperson) Doug Pitt (Vice Chairperson), Janet Olverman (Secretary) Jane Royston, Ron Gimby, Sheila Hadfield, Mahdi Hasan, Rob Jones, John Boyle, Zhada Robertson, Gordon Muirhead	
<b>APOLOGIES</b>	Elisabeth Jones (Treasurer)  Cllr Barbara Grant  Cllr Jim Swift  Cllr Ian McAlpine.  (The meeting clashes with a Full Council meeting)	
<b>GUEST SPEAKER</b>	The Chairperson welcomed Dr. Michael Bradnum, a Chartered Engineer, who is going to be giving a presentation on Flooding and Sewage issues concerning the Maidenhill Development.	
<b>ITEM DISCUSSED</b>		<b>Action Points</b>
<b>MINUTE OF MEETING</b>	The Minute of meeting on 8th March 2017 was proposed by John Boyle and seconded by Jane Royston and passed without amendment. The full form of the Minute will be placed on the Community Council section of ERC website	
<b>MATTERS ARISING</b>	There were no matters arising	
<b>CRIME REPORT BY COMMUNITY POLICE OFFICERS</b>	Presented by Police Liaison Officers (report circulated) Report covers The Community Council area from 6th March to 4th April 2017 and itemised the following issues:  <b>1. Assault &amp; Violent Crime</b> There has been one crime report raised for an assault in a public location during the period under review. It occurred on 12th April in Dalrymple Drive following a disturbance by youths. Enquiries are ongoing at this time in an effort to identify the perpetrators. <b>2. Drug Dealing &amp; Drug Use</b> On the 10th March a 16 year old male was arrested on Eaglesham Road in relation to an act of disorder and was	

found to be in possession of cannabis. In a separate incident later that month, a 38 year old male was found in possession of cannabis. These offences were detected by officers carrying out pro-active patrols in your area.

Even the smallest pieces of information provided by the public can assist the Police in tackling drug supply and misuse in your area. Members of the public can provide us with information by telephoning the non-emergency '101' number or anonymously by contacting Crimestoppers on 0800 555 111

### **3. Drunk or Disorderly Behaviour**

Calls to the police from residents relating to public nuisance or disturbances in your area remain very low

In the early hours of 1st April an incident occurred near to the shops at Broom Road, whereby items were deliberately set on fire. Fortunately there was no damage to any buildings. Following enquiries, two boys aged 13 and 15 respectively have been charged with wilful fireraising.

### **4. Housebreaking & Other Theft**

Two housebreaking crimes have been recorded in March in your area. The first occurred during the afternoon/evening of 19th March at a house in Erskine Road. A quantity of jewellery was stolen. The second crime occurred in the early hours of Saturday 25th March at a dwelling house in Castle Gate, Newton Mearns. A set of car keys was stolen and the perpetrator(s) made off in the householders car.

We remind all residents not to leave car keys in plain view within their homes. Thieves will often target properties with high value/performance cars parked outside.

Overnight on the 28th into 29th March another car was stolen from Newton Grove, when persons entered a house via an unlocked door and again took a set of car keys and the householder's car.

About 7-15pm on the 18th March, residents at a house in Eaglesham Road disturbed a male suspect who had entered their home via an unlocked door.

Our advice is to keep doors locked at all times, day and night, even when within. We also encourage residents to report any sightings of persons acting suspiciously in residential areas using the 101 telephone system.

### **Questions from the Public:**

A member of the Public enquired if the crime rate has increased recently as in the Broomburn area there appears to be an increase in gangs of youths hanging about, intimidating elderly people and drug dealing.

	<p>The Community Police Officer advised that crime in the area is generally very low and stated that if there is a noticeable increase in the number of calls from a specific area, then they would increase their patrols to that area.</p>	
<p><b>CHAIRPERSON'S REPORT</b></p>	<p>i) Formation of a Planning sub-group.</p> <p>The Chairperson confirmed members of the planning sub-group are Doug Pitt, Jayne Royston, Elisabeth Jones, Robert Jones, Ron Gimby and Janet Olverman.</p> <p>They will meet informally to discuss proposed planning applications or developments which will assist the Community Council as a whole in compiling a formal response.</p> <p>Ron Gimby enquired if we receive a copy of the Weekly planning list from East Renfrewshire Council as this should be the basis upon which the planning-sub group operate.</p> <p>Janet Olverman stated she, as Secretary, had only received a Proposal of Application Notice about the planned primary school in Maidenhill.</p> <p>Janet to ask Vincent McCullough to supply the Secretary with a copy of the Weekly Planning List which can be forwarded to the planning sub-group.</p> <p>ii) Request for an extension to allow submission of a BK&amp;MCC response to the consultation concerning Local Development Plan 2. In particular the proposal to build 60 units on the Broomburn Park.</p> <p>The Chairperson advised that the CC were granted an extra week to formulate a response, which was submitted on the 6<sup>th</sup> February 2017.</p> <p>ERC will now be considering all the responses and is due to publish their response in June or July 2017.</p> <p>iii) Comments on Planning application 2016/0712/TL (Maidenhill Development).</p> <p>The Chairperson confirmed BK&amp;MCC submitted a response on 31st March 2017 and received an acknowledgement on 4th April 2017. ERC are going to produce an overview which we will be able to consult and comment upon.</p> <p>The Chairperson advised the Committee that further to Cllr Grant's suggestion that ERC and Scottish Water should meet with members of the Community Councils, a meeting has been scheduled with Graham Shankland on 5<sup>th</sup> May.</p> <p>CC representatives will attend that meeting and we will be able to make a report at our AGM on 10th May.</p>	<p>Janet Olverman</p>

iv) Report on Place Standard – How good is Our Place?  
Meeting at Barrhead Council Offices Wednesday 15th  
March 2017.

The fourteen questions to be answered in this exercise cover both physical and social elements of a place. The outcome provides a quantitative assessment of a place, for example the region covered by a CC and allow rapid recognition of resources that need to be either targeted for improvement or are considered as potential strengths of an area.

The Chairperson presented the 'Outcome' represented by a chart and explained the model provided an evaluation of different physical and social elements, for example, traffic level and quality or capacity for parking. This is very restricted in the Newton Mearns area and will become more of an issue if the current building goes ahead as planned. We will campaign to improve the quality and quantity of safe parking.

The results shown were only from the CC members attending the presentation, representing a very narrow section of the public. It should be carried out on a wider public level.

The profile shown for Newton Mearns is very different from the general Scottish diagram. For example moving around is easy but people in this area feel they have little influence or sense of control about developments in the area.

The Chairperson has requested that the organiser provide the CC with copies of the results from the other Community Council areas but they are yet to be produced.

Gordon Muirhead enquired where the section for rating the quality of roads and pavements is, as one of the biggest complaints received are the terrible state of our roads and pavements? The Chairperson advised that this could probably be rated under either Traffic and Parking or Streets and Spaces.

Jane Royston advised that the tool used is called Place Standard Tool and is available on the Scottish Government website:

<http://www.placestandard.scot/#/home>

John Boyle commented that this would be a powerful tool to gauge the public feeling on these issues and it would give the Community Council useful information to work with.

We would ask that any member of the public completing one of these questionnaires submit a copy to the Community Council so that we can evaluate and act on the results. Sheila Hadfield to co-ordinate.

Sheila  
Hadfield

	<p>v) Community Councils &amp; Data Protection – receipt of proposed document 6th April 2017</p> <p>The Chairperson displayed a letter received from ERC regarding Data Protection.</p> <p>The Secretary and Chairperson agreed to discuss this in order to formulate a response.</p> <p>vi) Communication from Cllr McAlpine concerning No. 375 bus service received 6th April 2017.</p> <p>This bus was to provide access to the new Health Centre at Williamwood. Following in depth discussions with Julie Murray (Chief Officer of East Renfrewshire Health and Social Care Partnership) she indicated it was too difficult.</p> <p>vii) Receipt of Proposal of Application notice for a new primary school and nursery facility at Maidenhill</p> <p>The Developers have requested permission to submit a planning application for this school. We have received no further information and are unable to give details of pupil numbers etc.</p>	WM/JO
<p><b>PRESENTATION BY NMRFPG</b></p>	<p>The Chairperson introduced Dr. Michael Bradnum, a Chartered Engineer and Chartered Scientist and a founding member of the Newton Mearns Residents Flood Prevention Group</p> <p>Dr. Bradnum delivered an extremely informative presentation about the potential surface water and sewer flood risk from the development at Maidenhill Farm</p> <p>The presentation encompassed the following topics:</p> <ul style="list-style-type: none"> <li>• EU Floods Directive which reinforces the rights of the public to access flood information and have a say in the planning process.</li> <li>• The loss of flood storage and effect of land raising</li> <li>• The lack of capacity modelling on downstream watercourses</li> <li>• The increased risk of sewer flooding</li> </ul> <p>A copy of this presentation is available to view on the Community Council Section of the ERC Website</p> <p><a href="http://www.eastrenfrewshire.gov.uk/article/6593/Broom-Kirkhill--Mearnskirk-Community-Council">http://www.eastrenfrewshire.gov.uk/article/6593/Broom-Kirkhill--Mearnskirk-Community-Council</a></p>	

<p><b>INVITED COMMENTS BY ERC COUNCILLORS</b></p>	<p>During the presentation Cllr Grant and Cllr Swift had joined the meeting.</p> <p>Cllr Grant enquired to whom Scottish water are responsible.</p> <p>Dr. Bradnum advised they are responsible to the Scottish Government.</p> <p>Cllr Grant suggested that if Scottish Water are not performing their duties adequately they should be reported to the Government.</p> <p>Dr. Bradnam stated that this matter had been discussed with the Scottish Planning Policy Unit and they advised that it was up to the Council to monitor Scottish Water's plans for drainage and they have the power to stop them if the plans are inadequate.</p> <p>Cllr Swift stated that ERC are the Flood Prevention Authority and do have the power to stop this.</p>	
<p><b>QUESTIONS AND/OR COMMENTS FROM THE PUBLIC</b></p>	<p>A member of the public enquired what can we do to stop this development and the present situation concerning flooding, sewage and drainage ?</p> <p>Dr. Bradnum advised that if more than 10 people object it has to be considered by the planning committee which consists of East Renfrewshire Councillors representing different wards in the council. It will be up to them to speak for us and to make the decision whether to grant or refuse permission, but unfortunately not all Councillors on the planning committee listen to our views.</p> <p>The Planning Department has to provide a summary of the objections to the Councillors on the Planning Committee.</p> <p>A member of the public asked why drainage has to go into burns.</p> <p>Dr Bradnum explained that the legislative framework says that drainage has to go into burns where the run off would ordinarily have gone rather than into conduits or pipes. There are three types of basins termed either attenuation basins, compensatory flood stores or long term storage. The Maidenhill developers have only designed attenuation basins, which might normally be adequate. However, due to the scale of the development and flooding issues attenuation basins alone would not provide protection against one in 200 year weather events. There is need to build new compensatory flood stores or long term storage basins similar to the ones recently constructed to protect Battlefield and Shawlands from flooding.</p> <p>David Jesner stated that this this will go before the Planning Committee and then to the full Council but this will be after</p>	

the election on May 4th. He advised that both Community Councils suggest to ERC that Dr Bradnum give his presentation to all Councillors especially those on the Planning Committee.

Dr Bradnum stated that this planning application will probably only be decided by the Planning Committee as Maidenhill is in the Local Development Plan and people who have submitted objections are not permitted to speak at the Planning Committee Meetings. He confirmed that he had offered to make a presentation to the Planning Committee with regard to the Cheviot Drive development but was declined because of the 'orders' of the Committee.

Bev Brown enquired why, when there are two proposed sewage options, one of which is not adequate, the Council won't tell the developers they there should only be one option that will work.

Dr Bradnum advised that the council don't have the expertise and have advised their Managers to hire the expertise. The Planning Department say that the developers were only offered one option but the engineering assessment says they've been offered two preferred options (there is thus some confusion). The CCs wish that such confusion be addressed and resolved.

Ron Gimby enquired why Scottish Water had recommended 2 solutions, where one of the solutions runs through gardens which is against their planning guidance.

Dr Bradnum said that last week Cllr Buchanan advised the Mearns Village Community Association that he didn't think Scottish Water should have offered developers that option and said that the Council is powerless to stop it.

However Dr Bradnum confirmed that through Scottish Planning Policy it would be within their remit to stop it.

A member of the public enquired why Scottish water is not going to carry out a hydrological scoping study model of the sewers.

Dr Bradnum confirmed that Scottish Water had taken a hydrological model of the sewers which has shown that if you add extra houses to this sewer it will flood. Scottish Water have not generated a hydrological model of the burns because they've said it's the Council's responsibility to do this.

A member of the public enquired why, if the scheme is currently legally at odds with policy, can the planning process not enforce that.

Dr Bradnum advised that Cllr Buchanan, who is the Councillor

responsible for planning, said once SEPAs objection is removed they have no right to reject it but that is not technically correct according to Planning Law.

If the Council object the developer has the right of appeal but unfortunately if the council does approve it, Scottish legislation doesn't give the public the right of appeal.

Because of the shortage of time Dr. Bradnum advised that if the public wish to discuss this further please contact the Newton Mearns Residents Flood Prevention Group at:

[Mearnsresidents@gmail.com](mailto:Mearnsresidents@gmail.com)

John Boyle enquired if the Council could require the developer to pay for a hydrologist?

Dr Bradnum advised that the Roads department had written to the Planning Department suggesting that, as they don't have the required expertise, they employ an independent hydrologist.

The developer's contribution is approximately £10,000 per house so for a development this size the Council should be able to afford to employ a hydrologist.

Dr Bradnum confirmed that for the Queensgate/ Cheviot Drive development the Flood Prevention Group offered to raise the money to employ an independent hydrologist and asked if they could be provided with the relevant data, but the Council refused to provide the data. Nevertheless the Flood Prevention Group did pay for a hydrologist to look at the site and the Planning Application and he confirmed that it would flood. The hydrology report was lodged with the Council and should have been made available to the public on their Website so that people purchasing houses that flood as a result of this development would be able to make a claim. But it seems that the Council removed this report from the Website.

Zhada Robertson enquired if there had been any contact with Scottish Public Services Ombudsman about this.

Dr Bradnum said this would be something to investigate.

Bev Brown enquired once developers have left the site who is responsible? Do we run the risk of insurance prices hiking as a result of further flooding?

Dr Bradnum cautioned people who live near burns or sites of flooding to inform their insurers, it's not advisable to withhold this information.

David Jesner commented that it was scandalous that, for Cheviot Drive, developer's drainage plans and flood risk assessment only went as far as the edge of the development



	<p>and accused ERC of putting risk onto the developers who in turn pass it onto our residents.</p> <p>Dr Bradnum gave an example where this has occurred at the site at Malletsheugh East, at Hunter Drive, opposite Mearns Primary School. The Roads Department wants the residents of the new development to be responsible for keeping the culvert clear underneath Hunter Drive and the Council have said they will not accept financial responsibility for any flooding to Mearns Primary School.</p> <p>Cllr Swift said there are currently very good reasons to oppose this Maidenhill development for example building on a watercourse and land raising. He acknowledged that standing orders exist for this Council but a new Council could re-write policy.</p>	
<b>ANY OTHER BUSINESS</b>	<p>Gordon Muirhead enquired whether the Community Council had received any money from ERC yet.</p> <p>The Chairperson confirmed we have only received £85 from when the CC was formed up until September but should receive circa £500 for next year for the period of time the Community Council is in session – September to May.</p>	
<b>DATE OF NEXT MEETING</b>	<p>The Chairperson confirmed the date and venue of the next meeting of the Broom, Kirkhill and Mearns Kirk Community Council will be our AGM on Wednesday 10<sup>th</sup> May at 7pm in the Staff room of Mearns Castle High School.</p>	

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