

Royal Burgh of St Andrews Community Council

Provisional Minutes –1st July 2013

For Approval

1. Attendance

Community Councillors

Ian Goudie, Ken Fraser, Kyffin Roberts, Izzy Corbin, Carol Ashworth, Judith Harding, Ken Crichton, Howard Greenwell, Alice Alexander, Patrick Marks, Penny Uprichard, Ronnie Murphy, Bernadette Cassidy, Henry Paul, Robert McLachlan, Tom Waterton-Smith,

Students' Association Representatives

Co-Opted

Stuart Foukes (Merchants Association)

Fife Councillors

Keith McCartney, Dorothea Morrison, Frances Melville, Brian Thomson

Apologies

Callum Corbin, Henry Cheape, Lindsey Adam, Marysia Denyer, Chloe Hill

2. Minutes of June 3rd Meeting

6.4.2 Dr Goudie suggested that "probability" study in the last but one paragraph could be replaced by "comparability" study and a couple of lines later instead of "only" site, replace with "preferred" site. Dr Goudie also suggested deleting the previous sentence to the one commenting on the "preferred" site beginning, "However he felt....", as he didn't feel it made sense.

Apart from these amendments the minutes were accepted as a correct record of the July meeting.

3. Presentation

4. Fife Councillors

4.1. Frances Melville

4.1.1. Lawhead Road East & West Road Repairs

Cllr Melville reported that work was due to begin in these roads in early/mid September. The work would be an attempt to do a better job on four patched areas with a deeper patching to hopefully last considerably longer than past attempts.

4.1.2. Students Union

Cllr Melville commented briefly that the work on the extension of the Students Union building had begun and would be ongoing for a while.

4.1.3. Pilmour Place & Gibson Place

Work may be starting in November in this area by Scottish Water related to management of flooding problems. Scottish Water has put in an application to try and solve this problem and is planning to have an Information session for local residents on their proposals. Fife Council have to look at the plans and decide whether to approve them as they stand or request modifications.

4.1.4. Wonderyears Nursery – new application

A new application has come in for this student accommodation proposal at the Wonderyears Nursery site. Miss Uprichard wondered whether Cllr Melville could confirm that with the Wonderyears application and other similar applications for student accommodation there would be planning applications for around 500 student beds, which would detract from the capacity to build affordable housing. Cllr Melville replied that the Wonderyears application hadn't been formally lodged and noted changes in the application.

4.1.5. West Sands – Overnight Parking by Camper Vans etc

This problem which has attracted some public concern is being looked at by Fife Council and other involved bodies. There is recognition that allowing long-term use presents a number of problems such as waste disposal. Fife Council has asked for legal opinion on what can be done to restrict inappropriate use of the parking areas on the West Sands, but at present it is unclear whether there is an easy solution.

Mr Greenwell thought that there was a simple solution to the problem. He suggested a padlocked bar at 2 metres height would restrict access to most camper vans and similar vehicles but allowing cars still to go further than the Links Car Park area.

Mr Murphy wondered about the possibility of allocating a number of parking spaces around the toilets at the West Sands for camper vans for a fee of £40 per night? Cllr Melville replied that that possibility had been considered with a charge of £30 per night.

4.1.6. Market Stances in Market Street

This matter is being investigated by Fife Council but is proving more complex than initially believed. Fife Council Legal Services and other relevant Fife Council depts are looking at the matter. An online booking system may be set up. There is also the issue of the Melville Fountain with Scottish Water needing to do work to ensure that it will be properly set up to work.

4.1.7. Public Toilets Review

There was to be a cross party review of Public Toilets in Fife but this has been put on hold as the new Chief Exec apparently wants to keep them open. Cllr Melville wasn't certain how this would be funded particularly the cost of keeping them in good order, as some are sub-standard.

4.1.8. Overgrown Gardens in Privately Let Properties

Cllr Melville said that she'd been receiving a lot of complaints about overgrown gardens in privately let properties.

4.1.9. Rubbish Collection Pilot Scheme

Cllr Melville reported on a pilot scheme being set up in the centre of town to try and manage the problem of black bags being left by students at certain times of term, which can be unsightly and can attract pests. Three large bins are being positioned in College Street, Argyle Street and Market Street where the students can deposit their black bags.

4.1.10. Issues Report - Fife Development Plan

Martin McGroarty had updated the Councillors earlier in the day on the Issues report of the Fife Development Plan. Officials had given Councillors their thoughts on possible development sites and had noted Councillors views. This report will go to the Fife Executive Committee before going out to consultation.

4.1.11. Wall at Craigtoun A Development Attenuation Area

Dr Goudie made the meeting aware that the wall at this open area by the Craigtoun A development was leaning and had partially collapsed. He wondered whether anything could be done to fix it?

4.2. Brian Thomson

4.2.1. Town Hall Saltire Flag

Cllr Thomson reported that a new flag had been put up and that a supply of replacement flags would be available as required. Fife Council has now taken on the responsibility of looking after the flag.

4.2.2. Bridge at Newmill, Ladebraes

It had been hoped that Community service would be painting the bridge at this location, but it hasn't taken place to date. Cllr Melville confirmed that she'd made enquires and had been informed that this work by Community Service would probably take place this autumn.

4.2.3. Kinnesburn Path @ Fleming Place

The poor state of the path between Fleming Place and Kinnesburn road had been an issue raised by Mrs Alexander in June. Cllr Thomson had visited and was appalled by the poor and dangerous state of the path. He'd contacted Fife Council official Ian Barbour who'd assured him that the area would be fenced off and repairs would be organised. Initial fencing proved inadequate and Cllr Thomson reported that he'd been chasing up Ian Barbour and had eventually received a reply stating that the fencing would be reinstated this week and funding for repairs was in place.

4.2.4. 1 Greyfriars Garden

Fife Council is to issue a Compulsory Purchase Order for the garden at the corner of St Marys Place and Greyfriars Garden owned by a gentleman living near Dundee, unless he can come to an agreement to organise a simple transaction for its sale. Fife Council is to let the Preservation Trust set up a Poetry Garden in the site once the matter has been resolved.

4.2.5. Pergola – Westport Tavern

Cllr Thomson reported that the handling of the planning application had been subject to a complaint to the Chief Executive by a neighbour, but Fife Council had advised the complainant that they didn't intend to take any further action. It would be necessary for the complainant if they wanted to progress their complaint to take it to the court or Public Ombudsman. Cllr Thomson added that he was considering submitting a motion to the next East Area Planning Committee requesting a full report on the handling of this application as he and other Councillors had concerns about the matter. He was also considering whether to request a discontinuance order in relation to the pergola. In reply to a query from Miss Uprichard, Cllr Thomson said that he would be asking for a report on the planning issue to be brought back to the next East Area Planning Committee meeting. Mrs Corbin added that the pergola was overlooking the neighbours and an intrusion upon their privacy and that little had been done to rectify the situation. Cllr Thomson acknowledged that enforcement action had been taken to get the owner to remove some plastic "skirts" at the east elevation of the pergola, which were in non-compliance with the approved drawings. There were however other areas of non-compliance, hence the request for the report. Cllr Morrison added that she would be seconding Cllr Thomson's motion for the report. She added that there had been a lengthy meeting on the matter with Legal Services to look at all the aspects of the planning situation. The pergola didn't match the dictionary definition of such a structure. She also acknowledged that there would have to be a lengthy debate on what exactly went wrong.

4.2.6. Hamilton Grand

Cllr Thomson reported that the domes had been illuminated, but there was no planning consent for this to be done. Planning officers are to proceed with enforcement action in this matter. Miss Uprichard said that she'd heard that there had been recent flooding at the Hamilton Grand. Cllr Thomson wasn't aware of any flooding but acknowledged that there had been problems at Pilmour Links and near the Golf Museum.

4.2.7. Former Janitor's House - Lawhead Primary School

Cllr Thomson had been contacted by local residents concerned about rumours that this former Fife Council property had been purchased by a developer with plans to build 5 luxury apartments on the site. He was trying to find out more about this matter.

4.2.8. Botanic Garden

Cllr Thomson reported about the extension of the lease of the Botanic Garden for another year. The Chief Exec had visited the garden in August and had met with the Friends of the Botanic Garden. Cllr Rowley had recently met with Louise Richardson, Principal of the University recently to discuss the future of the Botanic Garden. Fife Council he added was looking at ways to assist the Friends to set up a Trust to give the garden a sustainable future. The matter is to be considered by Fife Council's Executive Committee in due course.

4.2.9. Byre Theatre

Mr Greenwell what was happening with the Byre Theatre. Cllr Thomson understood that Fife Council would still be prepared to maintain their current level of funding to the Cultural Trust for the Byre. However he noted that there was still a shortfall, which would have to be made up somehow. Cllr Melville added that the Cultural trust would have to be absolutely sure about a viable financial package before reopening the Byre.

4.3. Keith McCartney

4.3.1. Street Nameplates

Cllr McCartney reported that the nameplate missing from Aikman Place has been replaced.

4.3.2. Street Lighting

Cllr McCartney reported that the damaged lighting columns on Kirkhill and Union Street have been replaced.

4.3.3. 'Gate' on Lade Braes

Cllr McCartney reported that repainting began during the summer and has been carried out by workers on the Community Payback Scheme.

4.3.4. Lumbo Den

Cllr McCartney reported that work on the footpath and embankment was carried out in August.

4.3.5. Jacob's Ladder

Cllr McCartney reported that during July a further spraying took place to remove new weed growth.

4.3.6. Graffiti

Cllr McCartney reported that a 'face' painted on the grey junction box to the east of the entrance to the Eden and other golf courses has been removed as has the stencilled 'tag' in red paint on the litter bin outside the University 'Development' building on the north side of North Street.

4.3.7. Forrest Street

Various sections of Forrest Street were inspected on 8/7/13 following which the officer raised a job ticket to Transportation to renew the signs.

4.3.8. Seagulls

Cllr McCartney reported that in response to a request from a constituent that signs be erected at appropriate sites in the town centre warning against feeding seagulls the issue was raised with the appropriate officer on 5/7/13 who advised that a new

design for such signs was currently being printed and that they would be erected once received.

4.3.9. Abbey Walk

Cllr McCartney reported that the missing section of double yellow line is to be 'refreshed'.

4.3.10. South Street

Cllr McCartney reported that he and Councillor Morrison both followed up on the issue of obstruction to the footpath in South Street. We were advised that staff were in St Andrews on the weekend of 29/30th June removing footpath obstructions and the area was clear for at least 2 metres width. Another inspection was to be carried out over a weekend in July to remove all illegal boards and obstructions.

4.3.11. Precautions taken when painting lighting columns

Cllr McCartney reported that precautions taken vary dependent on location and are established by the painting contractor. Precautions can range from "wet paint" signs to physical barriers or, where circumstances require, a closure of the road or footpath. There have been no complaints received regarding pedestrians brushing against wet paint on lighting columns in the last twelve months.

4.3.12. Parking enforcement in Market Street

Cllr McCartney reported that St Andrews town centre has regular patrols by Parking Attendants who will enforce the double yellow lines etc. Since Fife Council took over responsibility for on street parking from the Police on 29th April 2013 (until date reply to enquiry received on 4/7/13) Parking Attendants have issued 134 Penalty Charge Notices in Market Street for various parking offences.

4.3.13. Tree Grills

Cllr McCartney reported that due to the girth of the trees and the shallow roots of the trees in South Street the proposed grills could not be fitted. Consideration was given to applying a porous resin, containing matching gravel, around the trees but the specialist material suppliers could not provide sufficient assurances that their products would not crack due to root movement, which would have resulted in an unacceptable maintenance liability.

4.3.14. Station Park

Cllr McCartney reported that work by stonemasons to restore the collapsed sections of the perimeter wall on Old Guardbridge Road was completed this summer.

4.4. Dorothea Morrison.

4.4.1. "A" Boards

Cllr Morrison reported that there are now fewer "A" boards than at the start of the summer and the "bull" in South Street had disappeared. She added that there would have to be regular monitoring by officials to ensure compliance. Boards can be removed if not complying with the rules and there will be a charge for their return.

4.4.2. Planning Query

Cllr Morrison in response to a query from Miss Uprichard about planning applications very quickly coming back again after refusal had spoken to officials about this matter. She was told that providing the new applications had material differences, by law these could be accepted as new applications. Miss Uprichard questioned the advice given to Cllr Morrison and stated her belief that similar applications could be refused within two years of their rejection by a reporter or the community. She emphasised that "similar" was the important word and that an application for a development on the same land and same type of development could be deemed as "similar". She commented on how McCarthy & Stone had put in a fresh application on the day their original one was refused. She added that there

were other examples of fresh applications within a week of refusal. She added that the reason for the legislation trying to control matters was to stop local communities being overwhelmed by the volume of applications, some of which could be very lengthy with hundreds of documents. Cllr Morrison replied that she'd had one of the officers read the appropriate legislation to her and she thought the officer had read from newer regulations than those quoted by Miss Uprichard. She thought that the McCarthy and Stone one had been a different one when it came in. She felt that the differences had been sufficient. Miss Uprichard replied that it was logical that no developer would put in an identical application the second time round. She gave an example of a small change in an application for the same site in which one had reduced the number of flats and other minor differences had been made. Mr Roberts bringing the discussion to a close acknowledged that there were differences of view on the matter, but thought that it might be worth putting Miss Uprichard's comments to officials for comment.

Mr Greenwell commented about the constant stream of applications on the St Nicholas site. He also commented upon the response from Chris Smith planner trying to justify the differences, which had made the slightly different application from McCarthy & Stone materially different and sufficient for him to accept it. He reminded the meeting that this application had been the fifth in ten years, with all previous ones being rejected. He was critical of the attempt by developers to squeeze too many buildings into the space thus reducing the quality of the built environment for prospective buyers. He was pessimistic that Fife Council planners would see this and would continue to press for acceptance.

4.4.3. Argos Store – Plans for development

Cllr Morrison said that none of the four local members had been aware that the planning application for the redevelopment of the Argos store site had been approved. Cllr Morrison had contacted Chris Smith, planner for Fife Council, who acknowledged that the application had been approved and there was only one thing they were awaiting back from the developer. Cllr Morrison asked Chris Smith about why the application had been dealt with under delegated powers despite an objection from the Community Council as statutory consultees. Chris Smith replied that the objection hadn't got back to the Planning Dept in time. Mr Greenwell acknowledged that he'd been a couple of days late in submitting the objection. Cllr Morrison said that while it was too late to do anything about this application, it had been decided by officials to review this loss of a major retail unit and its replacement by two restaurants. Cllr Morrison added that it was questionable that more restaurants were needed and wondered how it could be justified. Mrs Harding commented that there were over 60 restaurants/cafes in St Andrews. Cllr Morrison hoped that in the new local plan officials would be looking at ways to address the balance of economic activity to ensure that there would be more retail stores.

Mr Foukes commented that his company work on single figure margins, while restaurants work on bigger profit margins, which makes it more attractive for restaurants to set up compared to small retailers.

4.4.4. West Sands problems with overnight use by Camper vans etc

Cllr Morrison acknowledged the problem of overnight use of the West Sands parking areas and that Councillors had considered the type of idea proposed by Mr Murphy to charge for the night's stay. The idea hadn't been dismissed though it did present some problems. She acknowledged that if the charge if implemented was set higher than those charged at local campsites it might discourage those using the West Sands as a free campsite.

4.4.5. Greyfriars Garden

She hoped that there would be a solution before too long for the garden. She said that she had taken photographs of the garden before it had been tidied up recently and given them to the official dealing with the possible compulsory purchase order.

4.4.6. North Street Bus Shelter

Mrs Alexander wondered about the lack of a bus shelter at the cathedral end of North Street. Cllr Morrison thought that the problem related to the narrowness of the pavement. Mrs Alexander replied that the pavement jutted out at that point and thought that something should be constructed.

5. Planning Committee

5.1. Planning Report

5.1.1. Planning Report

Mr Greenwell apologised for the late appearance of the report, sent out to members only a couple of hours before the meeting. He thought that a lot of the items included had already been noted during the meeting, such as the number of student beds proposed down the east end of town, which was getting on for a thousand beds.

The Montessori Nursery School application has come back with similar plans but the gate entrance had been moved. The Planning Committee didn't think that the new entrance wouldn't be any better and wouldn't solve any of the traffic problems.

The committee generally welcomed the idea of converting St Leonards Lodge into office accommodation but were not impressed by the detail, which included what Mr Greenwell described as a very tatty extension to the building with roughcast walls and UPVC windows and a tiled roof, compared to the main stone built building with slate roof etc.

Other applications to which the committee have objected have included Pizza Express trying to have illuminated signs and a couple of planning applications in the Green Belt.

The Premier Inn/Marks & Spencer proposals have found the committee split in their views, so it wasn't clear whether there would be an objection. He added that the committee would welcome input from the CC.

He commented that August had been very busy with some 50 planning applications received with the committee sending in objections to 21 of the applications.

6. Matters Arising

6.1. Botanic Gardens Update

Mr Paul reported that the plans for the Botanic couldn't go forward until there was a clear position from Fife Council and the university. The Friends AGM will be on the 26th September. Miss Uprichard expressed her concern about the way the university had described the Botanic Gardens as merely a "local visitor attraction". Mr Scott made the meeting aware that Councillor Rowley and Mrs Richardson had met and had discussions, though the outcome of those hadn't come out yet. He added that he did not apologise for the hard stance taken by the university in relation to the business plan submitted by the Friends, which the University did not believe was realistic. The University would however continue to press for a realistic solution, which would satisfy the University Court. He added in reply to Miss Uprichard that the University had no strategic need for the Botanic Gardens. He thought that visitor numbers spoke for themselves.

6.2. Housing Commission

Mr Roberts reported that the Housing Commission report date for publication had slipped again and Cllr Morrison added that the University report had slipped even more. Cllr Melville commented upon the HMO moratorium, which was about to finish and she'd thought that it was to come back to the local planning area for members to review. However the review of the moratorium is apparently with Fife

Council's Executive committee instead. She had more recently heard that there might be an attempt by Fife Council to tie in with the Housing Commission report.

6.3. Reports from Reps

6.4. Any Other Matters arising

6.4.1. Christmas Lights

Mrs Ashworth reported on an attempt to improve the Christmas lights for the town. There would be a small event surrounding the on St Andrews night involving some street stalls and children dressed as pilgrims. The committee organising the activities hoped to be able to light Market Street as far as the fountain funded by various fundraising activities they'd undertaken locally.

6.4.2. West Sands User Group

Miss Uprichard asked if Mrs Corbin could report on the West Sands User Group activities. Mr Roberts queried whether Mrs Corbin's membership had anything to do with the Community Council. Mrs Corbin confirmed that her involvement was not as a Community Councillor, though she'd be prepared to give the CC meeting a report if necessary.

7. Committee Reports

7.2. Recreation Committee

Mr Roberts in Mrs Denyer's absence reported that the awards for the Garden Competition would take place on the 17th September in the Burgh Chambers. The Coffee Morning will be the 6th October. Later in the year the Civic Reception will take place as usual as close as possible to St Andrews Day.

Mr Roberts also commented upon the success of the Bandstand Concert season with only one concert being cancelled due to weather. He thanked Mrs Corbin for her regular assistance and also added that the bands all wanted to come back to play in St Andrews.

7.3. GP Meeting

No report

7.4. 200 Club

August Draw: 1st No 60. Mr G Seaton. 2nd No 114. Prof C Blake. 3rd No. 102 Mrs C Rowe
September Draw: 1st. No. 91. Miss H Perie. 2nd. No. 36. Mrs Selwyn. 3rd. No 9. Mr A Tero.

7.5. Health, Education & Welfare

Mrs Corbin reported that St Andrews had recently had its Fairtrade status renewed.

Mr Roberts asked about the progress with installing the debrillators as he'd been led to believe that Dr Tait believed that the delay was with the Community Council. Mr Roberts suggested that another member of the committee could take on board the work if Mrs Corbin because of personal circumstances was unable to find time to complete the work.

7.6. Rail Sub – Committee

No report

8. New Business

8.1. Living Streets Scotland – for information

Mr Marks briefly explained the nature of the organisation and Appendix B details the nature of what it is offering namely training to undertake the audits of local communities as suggested in the email. A possibly useful tool for CCs to try and get some community involvement in checking out their local communities and then letting their Councils know what they think of things!

8.2. Keep Scotland Beautiful – for information

Email about campaign being organised by this organisation as detailed in Appendix C in which people survey areas for evidence of dog fouling to try and publicise the need for dog walkers to pick up their dogs doings!

8.3. Access to Information

Miss Uprichard was concerned about the difficulty in getting in contact with Fife officials even with a new and expensive phone system. She commented that while it was possible to leave a message with the secretary of a senior manager in Fife Council it was more difficult to speak to lower grade staff as they didn't have any message recording capability on their phones and very often don't phone back. Another problem relates to staff working part time so only being contactable part of the week. If phone calls go through to the call centre the call handler would suggest making an appointment to speak to an official. She added that it was generally up to the official respond at a time of their choosing. She also experienced a refusal to give an official's phone number, as it was personal. She felt that it was ridiculous that it was so difficult to get in contact with some officials.

Miss Uprichard also commented on the issue of paper plans and the reluctance of Fife Council to issue these despite the fact that officials often use paper copies in their work and take them to planning meetings. She was also annoyed about the obstacles put in the way of the Planning Committee and others concerned about controversial developments. She quoted a landmark decision from the Argyll area in relation to accessing information adding that it was like extracting teeth to get information from planning officials.

Mrs Ashworth felt that it was much more difficult to get information in Scotland compared to her past experience in England.

Cllr Thomson was also concerned about the slow response from officials and he described having to send several emails before getting a response. He felt that it was something needing to be pursued.

Miss Uprichard commented that many requests for information were being treated as FOI requests and these could take a considerable length of time to be completed. Mr Scott agreed that this was an issue and symptomatic of the nature of the legislation.

9. Reports from Office Bearers

9.1. Chair

No new items, apart from business he'd already brought up earlier.

9.2. Treasurer

9.2.1. Treasurers Report

Mr Paul commented upon the funds raised from the Bandstand Concerts, which was just under £300, down about £100 from the previous year, possibly symptomatic of the recession. Fewer local organisations contributed towards the concerts.

Next in relation to the Ceilidh account, Mr Paul requested that the funds in that account be used to pay towards a free ceilidh on St Andrews Day in the street. Mr Scott said that the University would match the funds made available from the Ceilidh Account for such an event.

Mr Paul announced that the Hay Fleming Trust had been finally handed over to the University. This funding will allow the collection to be catalogued and eventually displayed.

9.3 Secretary

9.3.1. Correspondence – see Appendix A.

10. Any Other Competent Business

10.1. Arctic Star Medal Award

Mr Maclachlan commented upon the award to one of the members of Hope Park Church of the Arctic star which is a medal issued to recognise those who worked on the Arctic convoys to Russia during WW2. He asked about the possibility of the CC sending the gentleman in question a letter to congratulate him on his award. Mr Paul suggested that it might be a better idea to invite him to the Civic Reception on St Andrews Day and make it more of an event. This suggestion was met with general approval by the meeting.