

# Royal Burgh of St Andrews Community Council

## Annual General Meeting Minutes – May 2010

### For Approval

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## 1. Attendance

### Community Councillors

Ronnie Murphy, Ken Fraser, Ian Goudie, Penny Uprichard, Derek Skelhon, Andy Primmer, Patrick Marks, Judith Harding, Carol Ashworth, Henry Paul, Marysia Denyer, Audrey Macanaw, Andy Primmer, Izzy Corbin, Kyffin Roberts, Audrey McAnaw, Meg Platt, Ray Pead

### Students' Association Representative

Holly West, Rebecca Ladley, Owen Wilton

### Nominated

Jude Innes

### Fife Councillors

Robin Waterston, Bill Sangster, Frances Melville, Dorothea Morrison

### Apologies

Jill Hardie, Ken Crichton

## 2. Minutes of May 2009 AGM

Accepted as correct

## 3. Chair's Report

For several of the previous Community Councils on which I have served, the last few months of their terms of office have been the least productive, with an injection of new blood awaited at the next election. That is certainly not the atmosphere of the present Council. I have the privilege to be able to report a general sense of expectation, with a range of projects and initiatives in the production line, some of which may well come to fruition in the next few months. The strength of this performance is due to the imagination and determined effort being put in by many members of the Council.

Some of these initiatives are likely to impact on the wider community. Notable amongst these are the attempts by our committee, which now operates under the name of St Andrews Environment Network, to secure funding for a range of projects designed to reduce the carbon footprint of the town. Of our applications to the Climate Challenge Fund, for which the expertise of Roddy Yarr - the University's Environment and Energy Manager - has been invaluable, we have high hopes for the Energy Champions project designed to encourage lower energy consumption by householders by improved insulation. I trust we will also continue to seek funding for studies into decentralised energy generation and into cycling provision in the town.

On a different front, the recently re-formed Health, Education and Welfare Committee is investigating fund-raising for possible restoration of the Martyrs' Monument, whilst another group of Council members, together with members of the Preservation Trust is looking at the long-standing problem of the derelict garden at 1, Greyfriars Garden.

One notable achievement of the past year was the Exhibition on the Local Plan in the Victory Memorial Hall. Happily, my initial caution about the proposed event proved to be ill-founded, and many local residents expressed their appreciation. I was also particularly impressed by the enthusiasm shown not only

by many members of this Council but also their relatives and friends in delivering our newsletter on the Local Plan, which was again well-received.

On the planning front, there will be a number of major issues for the Community Council, and for the town as a whole, in the coming months. We are probably heading for a Public Inquiry on a Local Plan which attempts to put flesh on the skeleton provided by an unpopular Structure Plan. The proposed site for the new Madras College looks set to be a divisive issue for the town. Nevertheless, in making our submission on the proposed Local Plan at the turn of the year, it was notable that this Council was of a common mind in proposing that, if greenfield housing development proved necessary, it should be in the Kinness Valley rather than between the A91 and the Strathkinness High Road. For a town with so many valued assets, the current philosophy that endorses development promotion rather than traditional planning is an ever-present matter of concern. At times officials have been candid in their desire to avoid objections from the Community Council on some classes of planning applications. Whatever the reason, over the past two years the Planning Committee has been increasingly frustrated by refusals to supply plans. Our Planning Convenor has pursued with tenacity and good humour the thankless task of trying to acquire the information that the Committee needs to do its job. Although some of us believe that the limitations of e-planning have yet to be widely understood, the Committee has shown a willingness to conduct a significant part of its business online - only to be frustrated by IT failures. Clearly these are matters needing urgent resolution if the Council is to represent the town adequately.

One major disappointment in the last year was the resignation of a former Vice-Chair, Larry Read, who had put in an immense amount of work on behalf of this Council. His departure left us needing to find a Vice-Chair, a convenor of the Recreation Committee, a 200 Club convenor, a licensing convenor and, at very short notice, an organiser of the Art and Photographic Exhibition. I am very grateful to those who have stepped into the breach and carried out successful work on these various fronts. I am also very sorry that our Treasurer, Ray Pead, has intimated his intention of leaving the Council. Our financial situation over the last nine months has not been an easy one, but Ray has certainly set us on a solid path, exhorting us to have the ambition to upgrade the quality of what we do, but always on the basis of sound budgeting. He has also encouraged us to get involved in fundraising, and his challenge is being met with some very imaginative ideas and enthusiastic offers of assistance by many members.

A lot of work goes on behind the scenes to keep this Council on the road. Special thanks are due to the Secretary, with the onerous tasks of writing the monthly minutes and keeping a huge volume of email flowing, and to the Arms Convenor who has a particularly difficult role. It is taking time for some in the wider community to appreciate our division of functions between Convenor and Chair, but I am very grateful to the Convenor for the way in which he carries out his civic role.

We should also not forget the contribution that is made to the work of this Council by the various ex-officio members, the local members of Fife Council, the representatives from the Students' Association and the Merchants' Association. Thanks are also due to Dougie Miller for bringing our work to a wider audience.

#### **4. Treasurer's Report**

Mr Pead started by explaining that part of the reason for the delay related to trying to sort out a couple of anomalies in the finances, relating to payments made in the early part of the past financial year for which he had no record of the sub accounts from which they had been taken. The payments were £2760 on the 01/05/09 and £5930.12 on the 29<sup>th</sup> May, both payable to Burness solicitors and a payment of £776.57 on the 5<sup>th</sup> May to Ancient Hume, all in relation to the Arms contract.

Sub-account balances at the time that he began his tenure with did not match those from the last annual accounts. These only came to light in the recent reconciliation for the CC accounts with the bookkeeper. Mr Pead accepted some responsibility in relation to these inaccuracies as he hadn't double-checked the figures in question, however he was now confident, as was the bookkeeper that the figures were correct. The Annual Accounts had been reconciled and sanctioned by a bookkeeper and would be signed off once the queries about the payments had been sorted out by the meeting of the Community Council. He added that it was merely the distribution of funds which had required correction.

He had a proposal for a solution in relation to the legal fees payments. He proposed taking £2760 from the Reserve Account for legal fees and the £776 he'd taken from the Donations Account. The latter account was the recipient of the annual £1000 from the Arms Contract. In relation to the £5930.12, he'd taken a small amount from the Reserve Account, namely £60.87, thus emptying that account. £2218.63 had come from the Donations Account and the remainder from the Admin Account, the only Account with sufficient funds. The Admin Account was in a temporary debit situation as of the 31<sup>st</sup> March, but he'd moved funds on a loan basis from the ex-Trust Fund Account, the only one with sufficient funds to cover such a loan. He acknowledged that loan would have to be repaid on receipt of the 2010/11 Grant.

It was now important to agree on these or other transactions in order to balance the Accounts. Once the bookkeeper had signed off the books, the Community Council would be able to apply for its 2010/11 grant.

Mr Paul confirmed on the past agreement to spend the money received from the Arms Contract on the legal fees.

Dr Goudie asked about the effect on the Admin Account? Mr Pead acknowledged that the need to use money from the Admin Account would leave it in a debit situation of around £500. He added that the Grant could be applied for once the Accounts had been signed off and he estimated receiving the Grant by next month, June.

Mr Paul made the meeting aware that the Trust Fund money came from the Arms Contract. Dr Goudie asked if the debit position of the Admin Account could then be covered from the Trust Account? Mr Paul replied that there was no final decision when the Trust was wound up in 2006 about what to do with the money. He didn't feel that the Community Council were bound by anything to limit ways to spend the ex-Trust Fund money. Dr Goudie asked Mr Pead if he'd be happy to cover the £500 by that means. Dr Goudie asked if the Council was then happy to agree to these ways to balance the books. Mr Pead felt that the use could be justified.

In reply to a query from Mr Murphy, Mr Pead explained that his predecessor had never specified from which sub account money was taken in his statements of accounts. Mr Murphy suggested transferring more of the funds from the ex-Trust Fund account to the Admin Account from where some costs as he understood it had been paid out to help cover the fees costs. Dr Goudie felt that that was taking matters a step further. Mr Pead felt that it wasn't necessary as the Reserve Fund was specifically for the Arms. The Donation Fund was for the Coat of Arms royalties so he felt that it made sense to use it to cover the costs of defending our legal action.

Dr Goudie proposed exactly clearing the deficit on the Admin Account. No one objected to this idea.

On point No.2, Mr Pead continued, the sub account balances were different to what he'd been handed over and these had made some impact upon the end of year balances. The following figures apply to the end of March 2010. The Rec sub-account was £185.19, but the corrected figure was £152.99. The difference was because the accounts from last year had less than had actually been shown. The Donations sub-account was £153.69, but with some funds taken out will stand at £50. The Bandstand sub-account was £495, but the corrected figure was £78.08. The EX Trust sub account had shown £2896.73 all year but was actually £4046.73. He acknowledged that had he checked the figures earlier he'd have discovered the discrepancies, but was now confident in the current figures.

On a last point Mr Pead mentioned an outstanding payment of £84, which was paid to Mr Crichton in May 2009 for expenses, which has not been cashed. This cheque will not now be valid if presented.

## **5. Dates of Community Council Meetings 2010-2011**

Mr Marks stated that the dates of meetings were for the Community Council to choose, though he'd had representations about trying to avoid dates clashing with Public Holidays. The dates would remain the first Monday of the month with the exception of January 2011. Dr Goudie commented that the shifting of the meeting dates did have a knock on effect on the dates of the Planning Committee meetings, which were the 2<sup>nd</sup> and final Mondays of the month. There was a general feeling that the current arrangements should remain, with the exception of January and with no August meeting. Any other date changes to be discussed as necessary. The clash with the May public holiday was acknowledged.

## **6. Any Other Competent Business**

### **6.1. Problems with access Planning Material**

Miss Uprichard started by asking Fife Councillors if they had copies of a document called, "Audit of Best Value in Community Planning". She then quoted from Para. 36 – "Some of the arrangements to support the openness and accountability of the decision making and scrutiny activity could be improved. Only 50% of elected members surveyed agreed that they'd received all the information they needed to make decisions and only 40% agreed that they'd received information in timely manner". Miss Uprichard felt that this was a quite significant statement in light of local problems with timing in receipt of planning applications.

She then quoted from PAN 81, "Effective community engagement means ensuring that people are made aware of proposals that affect them as early in the process as possible, that they have the facts to allow them to make a contribution, that they have had the opportunity to engage and that having made their views known, they get clearer explanations of how and why decisions were made". Miss Uprichard

expressed the view that none of those sentiments had been complied with, and in particular there were no explanations as to how and why decisions were made. She felt that the time had come for a rethink, particularly with the difficulties facing the Planning Committee in accessing online documentation, when the computer system on which it is delivered has failed. The Planning Committee has also been unable to get paper copies of the plans still outstanding for their consideration.

She reminded the meeting that it had been an official decision nearly 2 years ago to remove paper copies from the Planning Process. This had been further diminished as the Planning Committee were no longer allowed householder applications, even if they were in the Conservation Area and had been refused by a Reporter the previous year. They are not allowed domestic applications or applications for the back of houses. She felt that the result would be that the Planning Committee would be put out of business. She felt that it was nonsensical for Fife Council to say that it was an economic matter, as she'd heard that in some other councils up to 60 copies of applications were circulated to all involved. She thought that these could be required from developers. She was concerned about the frequency of the computer systems crashing, which stopped even officials undertaking their work. She felt that for the public, access issues must be even worse, with no paper copies available for most applications. In a recent visit to the Local Office she'd only found the plans for Grange House.

She commented briefly on the fact that the Local Plan 2005 objections were not going to be included in the eventual Local Plan Inquiry because officials maintain that it is a new plan, which she doesn't believe it is. She felt that the ability of the public and the Community Council to make representation was being eroded by the actions of Fife Council. She felt that the time had come to ask for answers on this and state that Planning Papers were needed. She cited the example of the Feddinch application, only just refused recently by Councillors, despite the fact that the original applicant had gone bankrupt as had his successor, his wife who also went bankrupt. Getting access to sufficient papers on this application, which had a long history had been very difficult. She felt that many of the Councillors had inadequate information upon which to base their decision, hence the closely fought vote to refuse it. She praised the efforts of Cllrs Waterston and Morrison in getting the application refused.

She added that in future there would be even less information available upon which to make decisions. Background information would be even less accessible. She felt that it was still vital to see Planning Application papers and that PAN 81 should be adhered to by Fife Council. She also felt that the unilateral decision by officials to stop issuing paper copies needed to be revisited and that the Planning Committee should be getting paper copies of the Plans requested, to either enable the Planning Committee to look on the web if they so wished or to examine them, as well as allowing the Public access to paper copies.

Cllr Waterston in reply, acknowledged that the position that the Planning Committee had found itself in was quite difficult. He felt that there were two separate issues, one was the principle of trying to manage with less paper and the technical problems, which he acknowledged had been very serious in recent weeks. He also acknowledged that the problem appeared to relate to evening use and to specific computers and couldn't understand why it had taken so long to find a solution. However he was sure that a solution would be found, as it was a technical problem, not a planning problem.

Cllr Waterston suggested that the Community Council might like to invite a senior Planning Official to come and listen to points of concern and to respond and engage on some sort of process. He felt that the bigger question had been discussed many times, with the IT failure aggravating matters at this time.

Miss Uprichard reminded the meeting that there had been 14 appeals in St Andrews in the last 18 months. There was a huge amount of work involved in these matters. She felt that if the Planning Committee weren't able to engage in the Appeals because they didn't have the background papers and the Council had not been responsive in producing copies of the papers at the time, the Community Council would have been ruled out of effectively participating. She added that it seemed to her that statutory consultees such as Historic Scotland and SNH were being invited a lot less often than they used to be. She reminded the meeting that the Community Council was the only statutory consultee in St Andrews and that an objection from CC meant that an application had to go to Committee. She felt that the Community Council was being obstructed and excluded from carrying out its remit.

Dr Goudie agreed with Cllr Waterston's observation that there were two problems and that there were various steps proposed to find a solution to the IT problems. In the short term he accepted the point that it was not wise to argue about the general principle when the waters were muddied by the IT problems. However he felt that there ought to be a system whereby if the IT failed that an automatic brake could be put on the processing of the planning applications until Fife Council had managed to get plans in some form to the Planning Committee.

Mrs Denyer mentioned that a letter had been sent to Chris Smith, Lead Officer in Planning asking if due to the IT problems decisions on recent plans could be delayed. Mr. Smith replied that it was not normal

practice to extend time on planning decisions and suggested that there should be other access points which the Planning Committee could access to view plans.

Cllr Melville felt that the request was very reasonable and suggested that Mr. Birrell could be asked to send paper copies until the IT situation was resolved.

Dr Goudie thanked Mrs. Denyer for her hard work in trying to resolve this problem.

## **6.2. New Student Representatives**

Mr Marks introduced two new Student representatives, replacing Fiona and Andrew, namely Rebecca Ladley and Owen Wilton, the Association Representative and Student President elect respectively.

## **6.3. New Councillor**

Miss Meg Platt was elected to fill the vacancy on the Community Council. Her comments on why she wanted to be elected were as follows: "I feel strongly that students should be considered as residents and that I can represent our community well. I have just been elected convener of the University's volunteering committee (SVS -- The St Andrews Voluntary Service) and I am really keen to strengthen relationship between town and gown through the avenue of volunteering. After attending last night's monthly meeting to see how the process works, I have a better understanding of the Council and am eager to get involved in one of the subcommittees, such as Recreation or Education and Welfare, to work on making a direct impact in the community. As a volunteer at both the Cosmos Youth Centre and MUSA (The Museum of the University of St Andrews), I feel that I am integrated into a community that has provided me with such a wonderful place to study and live. I would really like to give back to the town and work with others on the Council to foster growth of local events and community spirit".

## **7. Election of Officers**

### **7.1. Convenor**

Dr Goudie proposed Mr Crichton as Convenor. Dr Goudie had received correspondence from Mr Crichton that he would like to be considered again for the role. Seconded by Mrs Rowe.

Mr Paul proposed Mr Murphy as Convenor. Mrs Ashworth seconded the proposal

Dr Goudie explained the role of Convenor following a query from Miss Ladley. Dr Goudie explained that the role of Convenor was a more Civic role such as representing the Community Council at functions, being involved in presenting awards etc.

Mr Murphy in accepting the nomination for the role of Convenor acknowledged Mr Crichton's long service in the Community Council, but felt that Mr Crichton had caused some controversy because of the Ceilidh Funds issue. He felt that Mr Crichton had not followed what was expected of the Convenor because of this matter and that was the reason he'd accepted the nomination for Convenor. Mr Murphy recognised that there was a problem in that Mr Crichton wasn't present to speak on his own behalf, and recognised his right to have his say in the election process.

Dr Goudie recognised Mr Murphy's concerns over the issue of the Ceilidh Funds and said that he shared them, but he wasn't certain what effect the election would have on the resolution of the matter.

Mr Murphy said that he'd be happy to withdraw his nomination if it was going to have too much of a negative impact upon matters. Dr Goudie acknowledged that the matter wasn't close to resolution.

Dr Goudie explained the history of the decision to transfer funds for the Ceilidh and the Old Folks Treat was the result of a decision by Community Council a year ago, when it was believed that funds were merely being transferred into a separate account for purposes of security, given the ongoing concerns about the ongoing legal costs of the Arms issue. The problem arose that the move was interpreted by Mr Crichton as the funds being moved to an entirely separate organisation, which he would run with a separate committee. Mr Crichton had agreed to discuss the concerns about this with his committee. There has been no feedback to date from Mr Crichton and his committee. Dr Goudie acknowledged Mr Roberts comment that it was a substantial sum of money, but added that the funds would only ever be used in relation to the two events for which they were designated, if they came back under the umbrella of the Community Council. Dr Goudie also reminded the meeting that the events were associated with the Community Council and he was concerned that this association would be lost by this move to a separate organisation. Mr Primmer was concerned about the legality of the move of the money. Mr Pead said that the funds had been raised specifically for these events and the question was whether the Community

Council would still be prepared to support them if they came back under the banner of the Community Council. He also noted Mr Crichton's considerable role in raising funds for these events with minimal Community Council involvement. Mr Primmer contested that although Mr Crichton had raised the funds, he'd done it as a member of the Community Council and therefore the funds were Community Council funds. Mr Pead acknowledged the complexity of the issue. Mrs McAnaw wondered if there wasn't middle ground to encourage Mr Crichton to transfer the funds back into a sub account in the Community Council for the specific purpose of supporting the events? Mr Pead replied that Mr Crichton was still unconvinced about the safety of the funds if transferred back into a Community Council sub-account despite reassurances. Mr Pead acknowledged the need to convince Mr Crichton that the Community Council would keep the money safe and would support the events more actively.

Mrs Rowe and Mrs Denyer also expressed concern on the matter and related their own experiences in trying to assist Mr Crichton at the Old Folks Treat.

Miss Uprichard also wondered if there might be a way to reassure Mr Crichton about the matter, particularly the safety of the finances.

Mr Findlay also commented on the history of the matter, particularly in relation to the way the Community Council had managed its finances in recent years. He'd raised his concerns on a number of past occasions with the previous treasurer about the lack of clear monthly accounts. He felt that he could understand Mr Crichton's concerns.

Mr Pead added that at the GP meeting in December, Mr Crichton as a middle ground position had agreed to present the accounts of the events at the monthly CC meetings, but so far this hadn't taken place.

Mrs Harding then proposed that the election of Convenor be delayed for a month. She was seconded by Mrs Rowe. Mr Primmer felt that the vote should go ahead. There was then a vote on the proposal. 6 voted to go ahead with the election, but 8 voted to delay until the following month, with the hope that Mr Crichton would be present. Mr Pead felt that it would be prudent to wait so that the matters of concern could be raised again with Mr Crichton. Dr Goudie acknowledged the need to discuss matters with Mr Crichton before the next meeting, so that the election of Convenor could proceed next month without the additional issue of the funds complicating matters.

## **7.2. Chair**

Miss Ladley proposed Miss West as Chair, seconded by Mr Wilton

Dr Goudie was proposed by Mr Roberts and seconded by Mrs Ashworth

Dr Goudie was re-elected – 16 – 5.

## **7.3. Vice Chair/s**

Mrs Corbin and Mrs Rowe were happy to continue as Vice Chairs.

## **7.4. Treasurer**

Mr Pead to remain as treasurer until the June CC meeting. Mr Paul to take on the role following the June meeting. Nominated by Mr Roberts, seconded by Mr Primmer.

## **7.5. Secretary**

Mr Marks agreed to remain as secretary.