

# Monthly Agenda – June 2009

There will be a meeting of the community council at 7pm Monday 1<sup>st</sup> June in the Burgh Chambers of the Town Hall, Queen's Gardens. There will be a short break at about 8pm during which the 200 Club draw will be made. The meeting is audio-recorded to assist the secretary in producing the minutes.

*(Copies of Agendas and Minutes of the Community Council are held at Fife Council's Local Office, St Mary's Place and the Town Library, Church Square. Those from late 1997 on are on line at <http://www.standrewscc.net/>)*

## 1. Apologies

## 2. Minutes of May 2009

Read for accuracy in matters of substance – harangue the secretary for minor errors (spelling etc) outwith the meeting.

## 3. Presentations

### 3.1. Presentation on the Disposal of the Memorial Hospital

Steven Cameron from Drivers Jonas LLP (the consultancy company NHS Fife has engaged) will give the presentation.

## 4. Fife Councillors

### 4.1. Frances Melville

### 4.2. Bill Sangster

### 4.3. Robin Waterston

### 4.4. Dorothea Morrison

## 5. Planning Committee

### 5.1. Planning Committee Reports – see Appendix C and Appendix D.

### 5.2. Fife Structure Plan –see Appendix H

## 6. Matters Arising from Previous Meetings

### 6.1. Arms Convenor – updates – see Appendix E & Appendix F.

### 6.2. St Andrews Partnership – invitation to further meeting on 3<sup>rd</sup> June @ 19.30

### 6.3. Climate Challenge Group

### 6.4. Reports from Representatives

#### 6.4.1. World Class Report – see Appendix B.

### 6.5. Any Other Matters Arising

## 7. From Committees

### 7.1. Recreation

### 7.2. General Purposes

### 7.3. 200 Club

### 7.4. Health, Education & Welfare Committee

## 8. New Business

### 8.1. Review of Scheme for the Establishment of Community Councils in Fife

See Appendix G for letter from Linda Purdie

### 8.2. Enquire – The Scottish Advice Service for Additional Support for Learning

Enquire is the Scottish advice and information service which provides information for families of children who need extra help with their learning. Requesting help to publicise the service possibly on CC website. Details available from secretary.

## 9. Reports from Office Bearers

### 9.1. Chair

### 9.2. Treasurer

### 9.3. Secretary

#### 9.3.1. Correspondence – Appendix A.

## 10. Any Other Competent Business

*Please notify Chair of AOCB items before the start of the meeting or at the break. Hint: Given that the end of the meeting is often taken in something of a rush, unless items are urgent it might be better to submit them for next meeting's New Business.*

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### Appendix A Correspondence

06/05/09	Linda Purdie, Performance and Organisational Support, Fife Council	Email forwarded from ASCC to state that CCs in Scotland are not subject to the Freedom of Information Act as implemented by the Information Commissioner in England.
13/05/09	Chris Smith, Development Services, Fife Council	Email in reply to Mrs Denyer's request for three plans in the conservation area and asking reasons for plans, which his dept does not feel, met the definition they apply of community interest. He adds that they've never consulted the CC on such proposals in his time in his job and won't be consulting with CC on such plans in future.
14/05/09	Pauline Bogie, Transportation Services, Fife Council	Email about Market Street Exhibition in Town Hall
20/05/09	Patrick Loughlin, World Class	Email with enewsletter attachment – New Business Initiative. Forwarded to CC members
25/05/09	Linda Purdie, Performance and Organisational Support, Fife Council	Email with several attachments relating to various aspects of Community Council procedures etc – has been forwarded to Members by email.
14/05/09	Alastair Hamilton Planning Service	Reply to email from Patrick Marks about the Planning Committee's difficulty in obtaining paper copies of plans
07/05/09	George Adamson, Transport Planning	Transportation Services 2009 Consultation – 28 <sup>th</sup> May Town Hall St Andrews
21/05/09	Bill Welsh, Performance and Organisational Support FC	Letter re Community Council Support Working Group
21/05/09	Linda Purdie, Performance and Organisational Support	Letter re review of Scheme for Establishment of CCs in Fife – see appendix G
26/05/09	Patrick Loughlin	Email about further public meeting to discuss St Andrews Partnership on 9 <sup>th</sup> June @ 7.30 – venue to be finalized – Patrick needs names by 3 <sup>rd</sup> June.
28/05/09	Enquire – The Scottish Advice Service for Additional Support for Learning	Letter requesting help to publicise a service for families of children with extra needs. Based on The Education (Additional Learning for Support) (Scotland) Act 2004
May 2009	ASCC Membership Invoice	Membership renewal invoice 2009
22/05/09	Scottish Government: Directorate for the Built	Letter re Town and Country Planning (Scotland) Act 1997 – Finalised Fife Structure

	Environment	Plan 2006-2026 and Housing Land Requirement Re-Appraisal
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## Appendix B: St. Andrews World Class

Two different meetings have recently taken place.

### Executive Group meeting (7/5/09)

*Interpretation and Visitor Orientation Strategy.* A presentation was given on this proposal.

The consultants were asked to report on the suitability of the present interpretative signs (Le. not directional signs) and to prepare a costed plan for a new scheme. They found 63 different signs in 21 styles! They recommend a new integrated scheme using the same style for signs, leaflets, maps and guidebooks. It is meant to reduce the extent of clutter. A map has been prepared showing the proposed locations of "primary and secondary orientation points" throughout the tourist-related parts of the town, and general designs suggested for them (but not exact texts etc.). The indicative costs are known but were not available at the meeting. So far, no source of funding has been identified.

*Floodlighting at Castle and Cathedral.* The existing scheme for funding these floodlights has now expired, and Scottish Enterprise is investigating what might be done in future.

Other items on the agenda also came up at the following meeting.

### St. Andrews Partnership Introductory Meeting (15/5/09)

This was one of a series of meetings to be held with important local bodies to discuss the "St. Andrews Partnership" (a provisional title) which is proposed to be the successor body to St. Andrews World Class when the mandate of the latter runs out in a couple of months. At this meeting, besides the Community Council, there were representatives of the University, the Links Trust, the hoteliers and St. Andrews in Bloom.

*St. Andrews Partnership.* Patrick Laughlin explained the draft proposals, which have been circulated. Fife Council and Scottish Enterprise have indicated that they would be prepared to fund such a body for perhaps two years. It was not intended to duplicate the work of other elected or commercial bodies; there should be lines of demarcation. The three main areas covered were proposed to be economic development, environmental improvement, and community projects. It is likely that the Partnership would have a two-tier structure, with as wide a membership as possible, but also with a smaller management committee representing the key bodies. It was observed that if it was to be effective, the plan ought to have a timescale with stated goals and means of assessing whether these goals had been achieved. PL took this comment on board. None of the representatives present had any strong objection to the proposed draft, but it was also to be put forward to at least two other similar meetings for their comments.

*Town Centre Regeneration Fund.* The conditions for applications to this Scottish Government fund were now becoming clearer. The timescale is very short, a matter of two weeks from the date of the meeting. There are 200 towns that might qualify, so the chances of St. Andrews being chosen are not great. It has been indicated that proposals made on a partnership basis such as St. Andrews World Class is able to do, may be favoured. Proposals must be based on the "Town Centre" as strictly defined in the Local Plan (i.e. the area bounded by North St., Greyfriars Gdn., St. Mary's Place, City Rd., and South St.) It thus excludes the golfing area, the Castle and the Cathedral. The short timescale both for applications and for putting them into effect means that only proposals for which costs have already been estimated could be made in time. The Preservation Trust and St. Andrews Pilgrim Foundation have agreed to come under the wing of St. Andrews World Class for this proposal. PL is preparing a proposal incorporating various upgrades to the scheme already agreed by Fife Council for Market St., and adding improvements to some streets adjoining it. They will include some parts of the Interpretative Sign plan as above. The Pilgrim Foundation's scheme for improving Crail's Lane will be incorporated, as will restoration of the Whyte Melville Fountain. If successful, the scheme would need other sources of funds as well. The Government intends to reply by the end of July, but there is to be a second tranche of the fund a few months later; however it will be only half as much as the first tranche.

*Domain name St.Andrews.co.uk.* This has existed for some time (it belongs to Scottish Enterprise) but up to now it has existed only as a link to other local websites and not much attempt has been made to publicise it. Scottish Enterprise has offered PL funds to develop it further. The consensus of the meeting was that this would be worth pursuing, although it was observed that to do so effectively would require regular maintenance, with appropriate funding.

## Appendix C: Planning Applications – Date of Meeting: Monday 11th May 2009

\* Presentation regards Market Street Consultation

Applications Week - Ending 1st May 2009 (7)

Ref No.	Address	Plans	Action
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09/ 00347/EFULL	29 Lawhead Road East St Andrews	Extension to rear of dwelling house	No Comment
09/00607/EFULL	1 Union Street St Andrews	Change of use of pavement to external seating area	No Comment
09/00709/EFULL	20, The Scores St Andrews	Installation of roof light	Request Plans Conservation Area
09/00899/EFULL	27 Murray Park St Andrews	Installation of replacement windows	Request Plans Conservation Area
09/00912/EFULL	8 Priestden Park St Andrews	Side extension to dwellinghouse	No Comment
09/00888/EFULL	2 Pilmour Place North Street St Andrews	Change of use to HMO ( 7 persons)	No Comment
09/00709/EFULL	9-11 Union Street St Andrews	Formation of additional property at this address	No Comment

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#### Appendix D:

Planning Applications – Date of Meeting: Monday 25th May 2009

- The Planning Committee followed Mrs Rowe's new procedure for a formal agenda, which helped our meeting to run more smoothly and within the two hours time frame for discussion.
- The Planning Committee also expressed their sincere thanks for the input by our four local Fife Councillors, in relation to the Grange Road application. Sincere thanks must also go to Dr Ian Goudie for his contribution, with regards to this proposed development. As most CC members will be aware, this planning application was rejected at the North East Fife Area committee meeting on Wednesday 20th June 2009.

Applications Week  
Ending 8th May 2009 (3)

Ref No.	Address	Plans	Action
09/ 00557/ELBC	2 Pilmour Place St Andrews	LBC for alterations to dwelling house	Request Plans We are aware that this property is a "B" Listed building within the conservation area
09/00957/EOPP	Wonder Years Nursery St Andrews	EOPP for residential development	OBJECTION Letter to follow
09/00711/ELBC	9-11 Union Street St Andrews	Internal & external alterations & replacement windows	No Comment (Plans viewed and within guidelines)
Applications Week Ending 15th May 2009 (3)			
09/00841/ECLE	7C South Street St Andrews	Certificate of lawfulness to HMO ( 4 persons )	No Comment
09/00847/EFULL	18 Hamilton Avenue St Andrews	Rear extension & installation of roof lights	No Comment
09/01015/EFULL	34 Lawhead Road West St Andrews	Conservatory extension to dwelling house ( demolish existing )	No Comment

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#### Appendix E: Arms Convenor Report

#### History and General Information on Current Situation

Original agreement signed with St. Andrews Ltd (SAL) in 2002 for licensed merchandising of baseball caps, golf balls, mugs, etc., promoting the Burgh arms.

Initial period of the agreement was for 5 years with either party able to give 5 years notice of withdrawal at each 5-year point. At the first 5 year point (2007), neither party gave notice so the next point at which either party can give 5 years notice is 2012 which, if that occurs, then the agreement would formally end in 2017. This is the earliest point at which either party can legally terminate the agreement.

Forecast royalties from SAL in first year estimated at £12,500. However, to date (May 2009) we have received just £45 in royalties, although we have received approximately £8000 in annual retainer payments.

Sep 08 - suspicions were aroused that SAL were intending to diversify into merchandise outside that specified in the original 2002 agreement and, to date, we had not been consulted. The set up of a subsidiary company, St Andrews International (SAINT) being used to sub-contract from SAL further aroused our interest. Information also came to light through St. Andrews Links Trust that they (SAL or SAINT) were possibly looking to build Golf & Leisure Resorts globally using the St. Andrews name and branded with our Arms.

None of these issues had been brought to our attention by SAL/SAINT.

After many attempts at arranging a meeting with SAL representatives, legal representation was sought by us to arrange such a meeting and to reinforce our point that anything outside the original agreement would not be authorized without prior consultation by the CC and, upon any acceptance by us, formal amendment to the original agreement.

Legal action was taken by us to prevent the use of the Burgh Arms being used on merchandise in the US which were not specified in the original agreement.

After long negotiations, a meeting was finally set up in Apr 09 at which SAL admitted that they were no longer interested in the items listed in the original agreement, as they were deemed unprofitable.

They were left in no doubt that we (the CC) would only authorize additional merchandising as an addendum to the original agreement.

Initial submissions were far too lengthy and wide ranging and, after a number of amendments we now have a condensed Revised Products List that we can at least digest.  
This list is attached.

Legal action in the US by us was dropped by us due to lack of funding when a deadline for proceeding passed on 13<sup>th</sup> May.

What the CC have to decide on, given all of the above information, is whether we have any confidence of income with this Revised Products List given that in 7 years we have received just £45 in royalties.

**Our options are:**

1. Agree to the licensing of some or all of the Revised Products List.

To do this will cost us in legal terms to ensure any further agreements are watertight. Estimation of costs is impossible, because it will depend solely on their co-operation and how much wrangling there will be over any amendments to the agreement. At present, we have precious little in the way of funds to finance any such agreement.

2. Do nothing, leave the original agreement as it is and apply for 5 years notice of termination in 2012.

This will cost us virtually nothing, but we may be denying ourselves potential income.

**Things to bear in mind are:**

- a. Any additional income would be most welcome to the CC.
- b. Can we be confident that we will receive any additional income, given the performance of SAL over the past 7 years?
- c. How can we realistically monitor the activities of SAL worldwide and ensure they are complying with the agreement?
- d. Our legal costs to date are in excess of £7000.
- e. We have kept the Links Trust up to date with the situation as they have a global watching facility for

anyone trying to licence / trade using the St. Andrews Links / Home Of Golf name.

f. We have been advised by our solicitor that we have no legal case, at present, for cancelling the Agreement for non performance.

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#### **Appendix F. St.Andrews Limited: Revised List of Products to bear the Crest Device**

##### ***(UK trademark Registration No 2119330)***

- (i) Products that fall into the Category of "Promotional Items"  
Guides, Maps, Graphic Prints, Photographs;  
Golf Trophies; Mineral Waters.***
- (ii) Products not specifically listed but of a similar Nature or Character to such Types of Products or ancillary in Nature thereto  
Sunglasses; Tartan Cloth, Table Covers.***
- (iii) Products which St.Andrews Limited would ask the Community Council to consider adding to a mutually agreed Products List  
Toiletries;  
Fish, Meat;  
Financial Affairs, e.g. credit cards;  
Telecommunication Products, e.g. mobile phones;  
Travel Services;  
Restaurants;  
Computer Software, e.g. computer golf games.***

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#### **Appendix G: Review of Scheme for the Establishment of Community Councils in Fife**

As you will be aware from previous correspondence, the Council has agreed to undertake a review of the Scheme in Fife. The Scheme is subject to regular review approximately every 5 years to ensure it remains relevant to any changing circumstances and to enable any representations received to be more formally addressed. The Scheme was last amended in 2006 with the addition of the Complaints Procedure, with the last full review having taken place in 2004.

It had been our intention to commence the review during 2008, however in light of the Scottish Government's consultation on the production of a Model Scheme it was agreed to delay our review until that exercise had been concluded. You will recall I circulated the model key documents from the Scottish Government for your information (ref my email on 9<sup>th</sup> April).

The documents were produced jointly by COSLA, the Scottish Government and the Association of Scottish Community Councils with a view to establishing some consistency of operational arrangements across local authority Schemes. However, for the avoidance of doubt I would point out that these documents have not been adopted by the Council and the provisions contained in the documents are proposals only.

The process/ indicative timetable for carrying out the review of the Scheme is as follows:-

Informal Consultation with Community Councils and Elected Members. (May to August 2009)

Interim report to the Council's Policy, Finance and Asset Management Committee, with proposals for amendments to the Scheme. (10<sup>th</sup> September 2009)

Public Consultation. (8-week period - September to November 2009)

Final report to the Council, recommending adoption of the amended Scheme. (1<sup>st</sup> December 2009)

Enclosed with this letter are - two copies of the current Scheme for the Establishment of Community Councils in Fife, together with the Schedules to the Scheme (all of which are subject of this review); a Consultation Questionnaire, together with a proposed revised version of the Complaints Procedure, and a separate questionnaire seeking your views on a proposal to produce Guidance Notes to be read in conjunction with the Scheme.

The Consultation Questionnaire seeks your views on specific aspects of the Fife Scheme, with particular reference as appropriate to areas where our current Scheme differs from the Model Scheme proposed by the Scottish Government. However we would be grateful to receive your views on any aspect of the Scheme not specifically covered by the Questionnaire.

A copy of this letter and the consultation documents have also been sent to the e-mail contact for the Community Council, should you wish to circulate the papers to all members of the Community Council. Additional hard copies are also available on request.

Arrangements for carrying out this consultation were discussed at the recent first meeting of the Community Council Support Working Group. The Community Council representatives on the Group have agreed to assist with the review by collating the responses from Community Councils within their area. Accordingly I would be grateful if you would arrange to forward your response to your representative by Friday 7<sup>th</sup> August. 2009.

Linda Purdie

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**Appendix H: TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 FINALISED FIFE  
STRUCTURE PLAN 2006-2026 AND HOUSING AND REQUIREMENT RE-APPRAISAL**

The Scottish Ministers have decided to approve the above Plan with modifications. In reaching their decision they have considered all representations and objections made to them in accordance with the Town and Country Planning (Structure and Local Plans)(Scotland) Regulations 1983. In addition to the matters taken into account in the plan as submitted, the Scottish Ministers have considered such other matters as they thought relevant.

I enclose the text of the written statement marked up with final modifications. The Plan is approved subject to those' modifications . the' reasons for which are set out in the first attachment to this letter. The second attachment provides comments on the objections where the Scottish Ministers have not accepted the substance of the objections and propose no modifications in respect of them.

Whilst the Scottish Ministers' approval of the Plan, as modified, is founded primarily on the consideration of its policies and general purposes and relates to the Plan as a whole, modifications relate to the written statement only. It should be understood that the Scottish

Ministers' approval of the plan does not convey any approval of any matter therein for any other statutory purpose. In particular it does not commit the Scottish Ministers, or any other government department, to the payment of grant on any particular project or to the amount or timing of any capital expenditure. Approval does not extend to other documents submitted with the Plan.

The Plan shall become operative on 24 May 2009.

The foregoing decision is final, Subject to the right, conferred by Section 238 of the Town and Country Planning (Scotland) Act 1997, of any person aggrieved by the Scottish Ministers' decision to apply to the Court of Session within six weeks from the date of publication of the first notice of the approval of the Plan, Whereby the Court may quash the decision if it is satisfied that it is not within the Powers of the Act or that the applicants interests have been Substantially prejudiced by a failure to comply with any requirement of the Act.

I am sending a copy of this letter to those who made objections to Scottish Ministers' proposed modifications. Information about this decision will also be posted on the Scottish Government's website at [WWW.scotland.gov.uk/planning](http://WWW.scotland.gov.uk/planning).

Yours sincerely

GRAHAM MARCHBANK PRINCIPAL PLANNER