

BROUGHTY FERRY COMMUNITY COUNCIL – MINUTES OF MEETING

HELD ON 7th JANUARY 2014

PRESENT:

George Ferguson (Chair)
Hugh Begg (Acting Secretary)
Colin Doig
Doug McLaren
Stan Nutt
Kevin Cordell (Councillor)
Ken Guild (Councillor)
Laurie Bidwell (Councillor)

IN ATTENDANCE:

Carole Jenkins, Communities Officer (Minute Recorder)

VISITORS

Jane Begg
John Thomson
Craig Watson

1. WELCOME AND APOLOGIES

There were apologies from David Easson, David Hewick, Fiona Potton, Janice Bell, Councillor Derek Scott and Ken Anderson.

2. POLICY MATTER

Presentation of the recently adopted Local Development Plan.

Due to the number of apologies, Gordon Reid from Dundee City Council, City Development Planners Department agreed to defer the presentation to the February meeting.

3. MATTERS RAISED BY MEMBERS OF THE PUBLIC PRESENT

No matters to be raised.

4. MINUTES OF THE LAST MEETING OF THE COMMUNITY COUNCIL AS PREVIOUSLY CIRCULATED

Doug McLaren proposed that the start time and finish time of the meetings be recorded on the minutes in future. There was no consensus for this to be included.

5. MATTERS ARISING FROM THE APPROVED MINUTES

Doug McLaren raised that at the last meeting it was agreed that the Community Council would invite City Development Engineers Department to present about coastal protection. It was confirmed that an informal invitation had not been accepted. Carole Jenkins updated the Community Council about the previous Beach Management Committee where Ross had made a commitment to keep the Local Community Planning Partnership informed of all developments, in particular, in regards to the funding application to the government which the Council is presently working on. It was agreed that the Chair would write formally to City Engineer.

ACTION

Chair

6. POLICE MATTERS

There were no police officers present.

7. PLANNING MATTERS

A report by David Hewick was circulated to members and would be covered again under AOCB.

8. SECRETARY'S REPORT

Acting Secretary's Report 2014 is attached to these minutes as reference to the paper is required to link with the minute of the meeting. (See Appendix 1)

Membership

Agreed that a discussion will take place at the March meeting.

Associate Membership

In summary the report suggests asking the Broughty Ferry Traders' Association, Broughty Ferry Development Trust to be invited as Associate Members. There was discussion as to whether this should be deferred to the next meeting when more members will be present.

Colin Doig proposed that the vote be taken tonight.

Doug McLaren wanted to have a set of rules developed for Associate Members as he felt that there could be disagreements between the Community Council and Traders. It was pointed out to him that the Associate Membership would only apply where there was partnership on suitable projects and would carry no voting rights. It was commented that it is only when there is "a mutual aim".

Stan Nutt commented that the Community Council had been trying to get better partnership links with the Traders for the last fifteen years and it would be in Broughty Ferry's mutual interest if groups were to work together.

Carole Jenkins asked for the minute that a vote was taken on the proposal that the Community Council vote on issues tonight. This was seconded by Stan Nutt, there were four for the proposal and one against, therefore the motion was carried to allow Associate Members to the Broughty Ferry Traders Association. A proposal to allow Association Membership to the Broughty Ferry Development Trust was proposed by Colin and seconded by Stan. This was unanimously carried.

Annual General Meeting

Hugh Begg explained that this was to agree a procedure for the AGM, firstly an agenda and secondly a method to appoint office bearers.

Doug McLaren raised that sometimes Community Councillors were not appointed until the night. He was reminded that this is to do with Annual General Meetings not re-election of the Community Council which happens on a four yearly basis. Doug McLaren went on to suggest that formal hustings should take place should there be competition for office bearer places. Councillor Guild made an observation that hustings were not required as Community Council members already knew the members and

therefore would be irrelevant.

George Ferguson proposed that the meeting agree (a) a format of the AGM and (b) a form of nomination of office bearers as set out in the Acting Secretary's report of January 2014. This was seconded by Colin Doig, four agreed and one against.

Memory of Broughty Ferry

Hugh updated the Community Council to say that the sale of the booklets were going very well, also that any profit he made he would donate back to the Community Council for its purposes. It was agreed that the Community Council would write to the authors expressing their thanks.

BFCC

Proposed Heritage Walk and Shopping and Services Guide

Hugh updated the Community Council about the production of the Broughty Ferry Heritage leaflet which will be part of a series across the city. Meetings are ongoing and the meeting is to note progress.

BFCC

Broughty Ferry Spotlight

Meeting to note that the profile of the Community Council has been submitted and will be published in the January – March editions of the booklet. Further text has been submitted to raise the profile.

Liquor Licensing

The Community Council noted the additional information provided by Hugh Begg. Carole Jenkins updated the Community Council saying that there is a letter that the Community Council can send to agree to become a formal consultee for licensing purposes. The Community Council to note that this is for all licensing applications not just to do with alcohol. Carole to e-mail the approved letter for consideration.

Chair
Secretary

The Website

Community Council to note that the grant of £400 from Dundee City Council has been approved and paid into the account. This will be transferred to Lesley Duncan of Thistle Software by the end of the month as an agreed fee for setting up the website. There will be a £250 maintenance charge which needs to be paid to Lesley by the end of January. This is to come out of Community Council funds. Hugh explained that Lesley was happy not to have a formal contact with a "form of words". Doug McLaren made comment that he wanted to know who could feed emerging issues into the website and wanted a blog or feedback facility for members of the public. Doug was reminded that the only people who can submit material directly to the webmaster were the Secretary, Minute Secretary, Planning Secretary, Licensing Secretary and Chair.

Programme of Matters for the Agenda

As previously intimated, Gordon Reid of Dundee City Council's Planning Section will be presenting regarding the newly adopted Local Plan. It was also agreed that Colin Doig would bring forward a discussion of initiatives to be taken forward in 2014/15 including how to attract new members. The additional agenda items are listed as per the Secretary's report of January 2014 (attached).

Colin Doig

Dog Fouling

This issue is causing more problems again, in particular with commercial professional dog walkers. Environment are looking at this issue and hopefully working on a policy. Councillor Guild mentioned the importance of getting the number of the van that transports the animals and then this information can be fed in to the local police. Councillor Bidwell said that he had been in contact with Environment and the statistics of the fixed penalties given and those paid were not high. The city-wide stats can't be broken down locally and less than half of the tickets issued were paid. Doug McLaren raised initiatives that had been successful in Monifieth, in particular stencilling messages on the ground. Permission would need to be sought for any of this type of work to be undertaken. It was also discussed that this could be included in the Police plan for Broughty Ferry if it was a community concern. Doug felt that the Community Council should have a strategy to involve the community and said he would undertake to find out what Monifieth was doing. Doug also discussed the information from Beach Management that dog waste can be placed in all litter bins and his view that there was a need for more information and stickers. Doug was reminded that this was already under discussion through the Beach Management and should be left to the appropriate authorities. Doug felt that the officers regarding this were not in agreement. Beach Management minutes awaited for clarification.

Councillor Bidwell asked for some points of clarification regarding the heritage leaflet and wondered whether it would be available in pdf on the website. The leaflet will be available in the future on the Come to Broughty website. He also suggested looking at ways to digitise the leaflet and possibly make an app which was already being done by students in the West End and Central area. These proposals are ongoing.

Doug McLaren wanted to make comment about sub-section 5 on the final page of the Secretary's Report, he wasn't happy with the suggestion that the appointment of the representative will be at the discretion of the Chair after consultation with other members of the Community Council and suggested that this be changed. There was no seconder for Doug's proposal so the motion fell.

9. TREASURER'S REPORT

As David Easson was not present, this was to be deferred to the next meeting.

Treasurer

10. MATTERS RAISED BY COMMUNITY COUNCILLORS

Councillor Guild reminded the Community Council of the imminent closure of Gray Street for pavement work. He also raised the number of constituents commenting that the high tides and the ongoing work that this was causing along the beach. Doug McLaren's observation is that the beach has had the worst damage for ten years.

Councillor Bidwell, regarding dog fouling at Dawson Park, following complaints from a junior football club regarding the sports pitches in Dawson Park which they rent from the City Council, he has requested more vigilance by dog wardens in the park.

Illuminated Signs in Brook Street

Confirmed that the Planning Department clarified that permission was granted for an illuminated advertising panel in the bus shelters in Brook Street and that other illuminated panels on bus shelters in the Ferry were granted under delegated powers to planners.

Scottish Water

Following comments at the Community Council's December meeting, Councillor Bidwell has sought clarification on the timescale for undertaking work on the intermittently leaking sewer under the beach near Douglas Terrace. He also followed up a complaint by David Hewick about the recent flooding at Cedar Road. Scottish Water's investment plans will need to be modified to put in place the upgrading of the capacity to the main drainage in order to mitigate flooding and sewage spillage coming up through the drains.

Bett Homes

There is now a resolution of a 50 year old planning anomaly that affected twelve driveways in Falkland Crescent. Bett Homes funded the upgrading of the portion of the householders driveway that ran over grass margins to the roadside and the City Council have adopted the driveways.

Forthill Primary School

In mid December a man was knocked down at the end of Marlee Road in Broughty Ferry. An ambulance was called and took the person involved to Ninewells Hospital. As this occurred close to leaving time for pupils at nearby Forthill Primary School, Councillor Bidwell has informed Police Scotland and Neil Gellatly from Transportation.

Councillor Cordell had nothing further to add.

11. ANY OTHER COMPETENT BUSINESS

Community Council to note that the objection letters and report circulated on behalf of David Hewick as Planning Secretary was agreed without comment.

Also Hugh mentioned the archive tag that could go on the website. Various people were collecting a complete set of minutes which somebody would need to go through to make sure they could be placed on the web while continuing links with Iain Flett.

12. DATE OF NEXT MEETING

The next meeting is on Tuesday 4th February at 7 p.m. in Broughty Ferry Library.

BFCC

APPENDIX 1

Broughty Ferry Community Council

Acting Secretary's Report: January 2014

Membership

Members will recall that in response to concerns expressed over the summer and discussions held thereafter, the Community Council has embarked on a number of administrative and other initiatives designed to enable us more adequately to fulfil the Community Council's statutory role and related functions. The AGM is the appropriate time to monitor our progress since then and, related to that, evaluate the achievements in these regards. In the meantime, however, there seems to be agreement that there is one further matter which should be addressed as a matter of urgency. That is the pressing need to add to, and to refresh the current cadre of, persons who make up the current membership.

Decision: To take views from the current members of the Community Council at the March meeting in order that a set of objectives can be established and, thereafter, appropriate steps taken.

Associate Membership

There appears to be a consensus that working in partnership with Broughty Ferry Traders Association in the provision of a web site and, hopefully, the issue in due course of the heritage walk has been a valuable exercise in working for the community in Broughty Ferry while retaining our individual identities. With that in mind may I suggest that we offer to the Traders the status of Associate Membership of the Community Council. This carries no voting rights but would allow us to supply them with our minutes for information, take counsel from them, enter into partnership on suitable projects and, generally, offer a united front to situations when deemed appropriate by us.

Following that line, neither the Traders nor ourselves, for insuperable legal reasons, has charitable status and hence neither of us has the opportunity to pursue worthwhile initiatives with financial aid from sources to which a charitable foundation might have access. Broughty Ferry Development Trust has only around 150 or so members and cannot by any stretch of the imagination be considered to be representative of opinion in Broughty Ferry. However, it does have the advantage of charitable status and, on occasion, could be helpful to us in pursuing worthwhile initiatives. With that in mind the Community Council may care to invite Broughty Ferry Development Trust to become an Associate Member of the Community Council on the same basis as the Broughty Ferry Traders Association.

Decision: To consider whether to invite (a) Broughty Ferry Traders Association; (b) Broughty Ferry Development Trust to become Associate Members of Broughty Ferry Community Council.

Annual General Meeting

We are currently in the third year of the four year cycle of elections to the Community Council. Within that our Annual General Meeting is scheduled for Tuesday 6 May 2014. For the 4 yearly elections there are procedures set out for us by the City Council. However, it has been confirmed by the City Council that the arrangements for our AGM are for us to decide. I have searched in vain for a note of the procedures to be adopted. In order to assist us to complete that important business efficiently and effectively it may be helpful to regularise our procedures in a couple of ways: (a) to agreeing on an Agenda; and (b) the manner of nomination to the posts of Office Bearers. To assist in devising a way forward proposals intended for discussion only are set out in Appendix 1 and Appendix 2 to this report.

Decision: To agree: (a) a format of the AGM; and (b) a form of nomination for Office Bearers.

The Memory of Broughty Ferry

The booklet prepared to mark the centenary of the annexation of the former Burgh of Broughty Ferry Community Council has been well received. It continues to be sold at a price of £6 at Broughty Ferry outlets including McDonalds (Stationers) and the Eduardo Alessandro Studios. It has been advertised by way of the Traders' website (ours is not yet live) and the Broughty Ferry Spotlight. There was an immediate boost to sales following a note in the Courier recording the presentation of a

copy to the Lord Provost of Dundee by the main authors. Chris Davey has recorded his support for the exercise as follows: *"The memory of Broughty Ferry began as an initiative of three local authors, who first met in February 2013 to discuss how to mark the centenary of the annexation of the Burgh of Broughty Ferry by the City of Dundee. These three authors published a booklet on 21st November 2012 and were very pleased that Broughty Ferry Community Council Community Council was prepared-as one of its local initiatives –to support the project by giving a grant to help meet the costs of designing and printing the booklet. In return for this grant the publishers were happy to allow the Community Council logo to be prominently displayed on the cover of the booklet, to help raise the Council's profile and increase public awareness s of its activities."*

Several hundred copies have been sold and it is now certain that, thanks to the grant aid provided by the Community Council, Dundee City Council and Dundee Historic Environment Trust, that the revenue from sales will be sufficient to cover all costs not met by grant aid namely the financial outlay of the main authors. In short, the booklet will generate a small surplus. I confirm that once my own costs are covered I will donate the surplus attributable to me (one third of the total) to the Community Council to be used by the Council at its discretion. Nancy and Chris Davey have indicated that the surplus attributed to them (two thirds of the total) will be put to good local causes of their choice. At 28 December 2013 the surplus attributable to my contribution amounts to £300 and that amount will be transferred to the Treasurer to be banked appropriately. I am fairly confident that there will be further surpluses which will emerge in the coming months. Accordingly, there will be further monies forthcoming. The fact that the Community Council is prominently displayed on the back cover, and emphasised in the prefatory acknowledgements, has raised the profile of the Community Council in the manner intended.

Decisions: To note in the minute the following: successful completion of the exercise; draw attention to the statement from Chris Davey; to promote sales by way of our web site, and our contribution to the Broughty Ferry Spotlight; to accept the donation of £300 from the Acting Secretary; and to invite the Chair to write to all of the 6 contributing authors thanking each of them for their contribution to this worthwhile initiative which has raised the profile of Broughty Ferry Community Council.

Proposed Heritage Walk/Shopping & Services Guide:

As anticipated in my report in December, progress on this initiative has been slow but steady. Following considerable preparatory work with Sandro Paladini of the Traders, Colin Doig and I went to a meeting on 18 December which was attended by all the interested parties including those driving the parallel proposals from the City Council, Friends of the Earth, and Dundee Rotary Club. Agreements in principle were reached on the format and content of the Broughty Ferry Heritage Walk; and Sandro has confirmed that the cost will be borne by the Traders by way of the sale of advertising space. The contribution to the exercise in the form of text about Community Council objectives and achievements has been prepared. The team working on the historical notes, is subject to confirmation, but includes Charlie Webster and Nancy Davey. Text from the contributors will be required by end February if the targets for publication and distribution are to be met. Charlie's son, Callum, is well on his way to completing a very thorough and scholarly piece of research on the names of streets of Broughty Ferry and relating that text to people and places and this will provide valuable additional material to be drawn upon.

Decision: To note progress

Broughty Ferry Spotlight

I have submitted further text designed to raise the profile of the Community Council has been submitted and will be published in the January to March additions.

Decision: To note progress

Liquor Licensing

Section 17 of the Good Practice Guidance for Local Authorities and Community Councils deals with liquor licensing under the Licensing (Scotland) Act 2005 and, in particular, with the process of consultation with community councils.

It reads as follows:

The 2005 Act ensures that:

- *Licensing Boards are required to notify the Community Council of any new premises licence application or application to substantially vary how a premises operates;*
- *Community Councils are able to object or offer representations to an application and request Licensing Boards hold a hearing to review a licence if it is operating outwith the premises licensing conditions or the licensing objectives;*
- *Local Authorities employ a Licensing Standards Officer whose duties include mediating with licensed premises to try and solve problems including those raised by Community Councils; and*
- *Licensing Boards are required to involve people resident in the locality in consultation on a Board's Licensing Policy Statement or overprovision assessment, which could include reference to how it intends to involve Community Councils in Licensing Board matters.*

It would appear that until now Broughty Ferry Community Council has not availed itself of the opportunity to either object or make representations to the applications about which it has been notified. Following our decision to take up the opportunity to comment on applications for the licensing of new premises and major variations, the Community Council has agreed to accept George Ferguson's offer to undertake that task acting under Section 9 (a) of the Standing Orders and using the general approach adopted by David Hewick as Planning Secretary.

David Hewick has been in contact with the legal section of the City Council and issued an invitation to Mr David Barrie to make a presentation; and the way forward will be further clarified when Carole Jenkins has completed her consultations on this matter with ourselves and the other interested parties.

Decision: To note progress.

Web Site

If current progress is maintained, the web site will go live before the end of January. It will replace the tired version and steps will be taken to remove that from the world wide web. We have obtained access to local photographer Malcolm McCrow's images. The persons submitting material on a regular basis to Lesley Duncan as webmaster were identified at the December meeting as follows:

- (a) A Home page to include notes on the objects of the Community Council; a list of Community Councillors; the Constitution, Standing Orders; and Code of Conduct. (Secretary)
- (b) Intimation of date and place of next meeting together with an Agenda (Secretary)
- (c) Approved Minutes of Ordinary Meetings and the AGM. (Minute Secretary)
- (d) Planning matters to include our statutory duties; links to the Development Plan and related matters including the Conservation Area Appraisals; submissions on planning applications and other related matters (Planning Secretary).
- (e) Licensing Matters to include the list of current applications and any representations made (Licensing Secretary)
- (f) Approved Minutes of Meetings to which the Community Council sends representatives including the Local Community Planning Partnership, The Beach Management Group and the Tourism Group. (Secretary)
- (g) General Information (Chair).

With the considerable assistance of Carole Jenkins our grant application for £400 has been approved by the City Council and the money now sits in our Bank Account. It is proposed that after the web site goes live that the Community Council make payment of £400 to Lesley Duncan of Thistle Software for the preparation of the site. In addition it is proposed that the Community Council pay Lesley Duncan

of Thistle Software £250 being the amount agreed to maintain the site to our specification for one year and that the agreement be subject to negotiation thereafter.

Decision: To note progress; and to make the payments as set out above.

Programme of Matters for the Agenda

There is a consensus that the introduction in each monthly Agenda of an item headed "Policy Matters" has been a successful initiative. The following is a programme for the remaining months of this session:

January: Gordon Reid (Planning Section of Dundee City Council) -The newly adopted Local Development Plan

February: Colin Doig-Discussion of Initiatives to be taken forward in 2014/5

March: David Barrie (Legal Section of Dundee City Council) to speak on Licensing matters (David Hewick to arrange.)

April: General discussion on the problems and opportunities for attracting New Members to the Community Council.

May: Annual General Meeting and Election of Office Bearers.

Decision: To note the above proposed programme

Dog Fouling

Two of our Community Councillors have been approached by members of the public over the Festive Period regarding dog fouling. The areas referred to were Abertay Street, Reres Road, Camphill Road and Brook Street. The relevant legislation enacted to deal with this nuisance and health hazard is the Dog Fouling (Scotland) Act 2003. The Community Council has no powers to deal with any infringement of the terms of the Act and there seems to be little point in acting as an intermediary between the complainants and the relevant officials of the City Council.

The Council's web site notes the following: *Amongst other duties, officers, patrol and monitor the city to ensure compliance with the legislation. Anyone found failing to clean up after their dog will receive a Fixed Penalty of £40, rising to £60 if not paid within 28 days. Police Officers can also issue these penalties. It is also possible that some offenders be reported to the Procurator Fiscal with the potential of a fine up to £500.*

With the above in mind, if dog fouling is raised by residents with a Community Councillor it is suggested that they be directed to the Animal Control Section who can be contacted as follows: tel: 01382 436285; fax: 01382 426226; and e-mail at : animal.control@dundeecity.gov.uk.

Decision: To note the above and (a) to invite the Elected Members to monitor the performance of the officials of the City Council in carrying out their statutory duties; (b) to invite the Police to take appropriate action in cases brought to their attention.

Hugh M Begg (Acting Secretary)

1.1.14

e-mail : hughbegg@blueyonder.co.uk

Appendix 1

BROUGHTY FERRY COMMUNITY COUNCIL

You are invited to attend the Annual General Meeting of Broughty Ferry Community Council which will be held on Tuesday, 6 May at 7.00pm in Broughty Ferry Library.

Agenda

1. Recording of membership present and apologies received.
2. Minutes of the last Annual General Meeting for adoption.
3. Chairperson's Annual Report.
4. Secretary's Annual Report.
5. Planning Secretary's Report
6. Treasurer's Report on Balance Sheet and Annual Accounts.
7. Election of Office Bearers for 2013-4
8. Date of the next Annual General Meeting

Appendix 2

Broughty Ferry Community Council

Nomination Form for Election Officers at the AGM on Tuesday 6 May 2014

The following posts are open for election for appointment as Office Bearers: Chair, Vice Chair, Secretary, Minute Secretary, Treasurer, Licensing Secretary, Planning Secretary.

I hereby nominate ... (Name)..... who is a member of Broughty Ferry Community Council to be..... (Post)..... of Broughty Ferry Community Council for the year 2013/14.

Proposed by:

Name

Signature

Date:

Seconded by:

Name

Signature

Date:

Please note, in accordance with the adopted procedures of the Community Council:

- (1) All nominations must be in the Secretary's hands either in hard copy or by e-mail no later than 3 days before the date of the AGM.
- (2) All nominations must be in writing and signed by two members of the Community Council using the above format.
- (3) There is no opportunity for self-nomination.
- (4) In the event of there being no valid nomination for a post that will be filled at the discretion of the Chair after consultation with the other Office Bearers.
- (5) Where the Community Council is invited to send a representative to the meetings of the any other body including the Local Community Planning Partnership or, any of its sub-groups, the appointment of that representative will be at the discretion of the Chair after consultation with the other members of the Community Council.
- (6) Currently, representatives are invited to attend meetings of the Local Community Planning Partnership and its sub-groups: the Beach Management Group, and the Tourism sub-Group. These representatives are appointed to convey the views of the Community Council. In order to comply with our standing orders they must take care not confuse these with any personal agenda which they may have.