

Broughty Ferry Community Council

Minute of Ordinary Meeting held in Broughty Ferry Library on Tuesday 7th November 2023.

Meeting opened at 7.00pm

1. Community Councillors Present

Doreen Phillips (Vice-Chair), James Doig (Secretary), John Watson (Planning Secretary), David Easson (Treasurer), Stan Nutt (Licensing), Fiona Potton, Lorna Murray, Norma McGovern, Chris Johnson, Kenny Matheson,

In Attendance

Nil

Ex-Officio

Bailie Derek Scott.

Apologies

Neil Cooney (Chair), Tara Javed, Isobel McLean, Charlie Delaney, Doug McLaren, Christine Rea, Joanne Kelly, Cllr Craig Duncan, Cllr Kevin Cordell, Cllr Pete Shears, PC Steven Wallace, PC Stewart Merchant.

Members of the Public Present

Five members of the public were present.

2. Minute of Previous Meeting (3rd October 2023)

The draft minute of 3rd October 2023 was agreed as a true minute, proposed by Stan Nutt seconded by John Watson, and agreed by the members present.

3. Matters Arising from Previous Minute

Lack of toilet facilities in central Broughty Ferry; discussions still ongoing ?.

The Library toilet is considered unsuitable for general public use.

A sign stating the nearest toilet is located in Queen Street car park is still in situ and requires removal. Bailie Scott to check.

Joint Forum of Community Councils across Scotland. Update from Chair Neil with regard to joining the group. No present update.

Plant labels on the wall along the Grassy Beach walkway west of Douglas Terrace in poor state of repair. Who is responsible for their upkeep ?.

Bailie Scott to investigate with DCC. Reply noted in Secretary's correspondence.

(There is provision for local community projects with possible funding available, but a group (external to the council) would be required to submit a proposal and estimate of the cost of the work prior to possible funding).

The labels were put up approximately 20 years ago and there is presently no group looking after them, it is hoped a group can be formed in the near future and apply for a grant from the Active Travel Project Fund for their repair / maintenance.

Website problem now resolved, thanks to Chris.

Various emails from Hugh Begg; *Chair Neil to respond stating his comments had been discussed in full at previous BFCC meetings as stated in the May 2023 minute the matter was closed.* Update information from Chair Neil.

4. Chairs Report

Vice-Chair Doreen welcomed all to the meeting including 5 members of the public. Doreen updated the meeting with regard to the Ferry Community Fridge Project stating the men's shed have offered assistance with some of the work.

Details of any future public meetings regarding the community fridge will be advertised in the library.

Norma McGovern stated DCC food bank, were doing well feeding people in the Dundee area.

The Community Fridge and the Food Bank are two different entities.

5. Matters raised by Members of the Public (Previously intimated)

Email from Seafield Road resident stating there was no consultation following BFCC's alleged proposal to remove the bus stops in Claypotts Road.

Planning Secretary John corresponded, stating BFCC highlighted the problem with vehicles passing on the wrong side of the central bollards adjacent to the bus stops. It was a DCC & Roads decision to remove the bus stops.

6. Police Report

No Report

7. Secretary's Report (Previously Distributed)

Correspondence

04/10 Complaint from member of the public regarding BFCC's alleged proposal with
Regard to removal of the bus stops in Claypotts Road. Planning Secretary John answered the complaint (as stated in **5** above).

09/10 Copy of letter from DCC regarding (Disturbance of a Landfill site & origin of Historic Waste at Barry Buddon). Forwarded to members.

10/10 DCC; Does Democracy Matter to you, discussion in Central Baptist Church, Ward Road (Tuesday 7/11/23 - 11.45 arrival for lunch until 3.00pm).

10/10 Info from Bailie Scott; Plant labels along Grassy Beach area. There is provision for local community projects with possible funding available, but a group (external to the council) would be required to submit a proposal and estimate for the cost of the work prior to possible funding.

12/10 Invitation to Dundee Fairness Leadership Panel, Annual Conference, Friday 27/10/23. (3 places available for BFCC).

12/10 Email from Hugh Begg in response to letter sent by Chair Neil.

- 18/10 Floodgates Protocol & Flooding Advice forwarded from Cllr. Craig Duncan. Broughty Ferry Floodgates are to be closed from today 18/10/23 until Monday 23/10/23 to protect against coastal flooding from (Storm Babet) based on data received from SEPA & the Mett office. The warning anticipates periods of very intense rainfall which has the potential to exceed the capacity of urban drainage systems. Homeowners & occupiers have a responsibility to protect themselves and their property from flooding.
- 18/10 Update from DCC regarding (Democracy Matters 10/10), the time of this discussion may be changed to the evening (5.30 – 8.30pm). Unfortunately, the 7th November is the next BFCC meeting.
- 18/10 Email from resident in Fintry Place regarding a proposed planning application for erection of a house between 60 & 62 Fintry Place. Passed to Planning Secretary to examine and comment (see Planning Report).

Planning Secretary John intimated there was an article in the Dundee Courier stating (West End Community Council) were seeking nominations for members. Although elections are not due until 2024, WECC are looking for new members to enable the group to continue operating as a Community Council.

8. **Planning Report 2nd – 27th October 2023**

13 planning and 2 tree applications were validated and examined during the above period, one required attention and two mention.

Openreach has given notification that it intends to erect a 9-metre wooden pole at the junction of Kellas Road and Drumsturdy Road, Another 10-metre wooden pole to be erected opposite 655 Arbroath Road.

23/00606/FULL – Land between 60 and 62 Fintry Place, Broughty Ferry, Dundee. Erection of Dwelling house.

This site lies within the Forthill Conservation Area in Broughty Ferry and has been the subject of two planning applications in the past. The first for the erection of a dwelling house in 2005, the second for the erection of a 4-car garage in 2007, both were withdrawn.

It is interesting that the applicant on this occasion leans heavily on the content of the Scottish Government's NPF 4 and is selective in using its content in the Design Statement attached to the application when justifying its opinion of the content of the LDP 2019. The NPF makes clear that '*The purpose of planning is to manage the development of use of land in the long-term public interest,*' and, '*NPF must have regard to any adopted spatial strategy.*' The Dundee City Council LDP adopted in 2019 contains this strategy which must be regarded.

It is understood that this application should be considered on its own merits, nevertheless it is useful to record that application **07/00294/FULL – Erection of a 4-car garage** on this same site was recommended for refusal at the Dundee City Council Development Quality Committee on 4th June 2007 but recorded as withdrawn on 5th June 2007.

The Director of Planning and Transportation concluded in his report that the application contravened policies of the LDP current at the time and failed to meet the

statutory duty to preserve and enhance the character and appearance of the Forthill Conservation Area.

It is for the Case Officer to consider whether this application contravenes elements of the LDP adopted in 2019. In reflecting the concerns made known to it by residents adjacent to the site and its own observations as a result of a site visit, BFCC regard this application as seriously at variance with the character and appearance of the Conservation Area. The design and volume of the proposed dwelling fails to follow the line and feel of the dwellings to the east of the site and makes no attempt to relate to the dwelling immediately west. Its near 16 metre length and 7 metre height would create a severe loss of light to the properties immediately adjacent and have a substantial negative impact on the well-being of the residents of 60 and 62 Fintry Place. The NPF 4 is required by law to contribute to improving the health and well-being of people. The illustration of the proposed dwelling on the cover of the Design Statement reveals how it would look absolutely foreign to its immediate surrounds.

Broughty Ferry Community Council's Preliminary view is that it objects to the application.

Objection proposed by David Easson seconded by Stan Nutt and agreed by the members present.

23/00681/FULL – Land South of 144 Strathern Road, Broughty Ferry, Dundee. Erection of new dwelling house with associated landscaping.

This Community Council considers it necessary on this occasion to refer back to the application **21/00860/FULL**. That application proposed the erection of a new dwelling on the same site which was refused in a notice dated 11th January. An appeal was lodged by the applicant and was considered by the Local Review Body that upheld the determination of the appointed officer and refused the application in its decision dated 18th April 2023.

The reasons for the refusal of the application were made clear on three counts:

It failed to comply with Policy 14 of the National Planning Framework 4 and Policy 1 of the Dundee Local Development Plan 2019.

It failed to comply with Policy 16 of the National Planning Framework 4 and Policy 10 of the Dundee Local Development Plan 2019.

It failed to comply with Policy 13 of the Dundee Local Development Plan 2019.

When application **21/00860/FULL** was examined by BFCC it was made aware of a number of objections to the application but decided on balance to remain silent and allow the planning procedure to follow its normal path to decision. It was content with the decision of 11th January 2023 and that of the LRB of 18th April 2023 and the reasons given for those decisions.

Some of the content of the Planning Statement attached to this current application gives BFCC cause for concern in that it appears to question the integrity of the local planning system. In particular the language used in paragraph 2.6 when referring to the key issues outlined in the LRB (and also the original refusal of 11th January 2023) *the applicant contends that the key issues are subjective*. The use of the word 'subjective' is most ill-advised and suggests the decision to refuse was based upon emotions or prejudices.

Throughout the Planning Statement there is a tendency to pit the NPF 4 against the LDP 2019 in order to justify reasons the application should be approved. Yet there is

nothing concrete in this application that would mitigate the reasons for refusal of the 2021 application because those reasons equally apply to this application. The notion in paragraph 5.3 that the site should be considered as vacant land verges on the absurd since it is garden land.

BFCC cannot identify any changes in design of the proposed dwelling over that proposed in 2021 because there are none.

Broughty Ferry Community Council Objects to the application.

Proposed by Norma McGovern, seconded by Fiona Potton and agreed by the members present.

9. Licensing Report.

No Licence applications received.

10. Public Relations Report

No approaches to BFCC for comment.

11. Treasurers Report

No changes since the previous report.

Admin A/C	£1005.45
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BFCC own funds	£193.74
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BFCC Beach funds	£54.16
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Special Project fund	£79.02
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<u>Total</u>	<u>£1.332.37</u>
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(The special Project fund was originally used for a disabled swing in Castle Green, now looked after by the council). The play equipment is due for an upgrade in the near future; therefore, the special project money may require to be moved to the BFCC own fund A/C. Bailie Scott to check if this can be done.

12. Matters raised by Community Councillors

Nil.

13. Contributions from Elected Members

Bailie Derek Scott's Report (Previously distributed)

Updates from previous meeting; I attended a meeting with Tim Woodcock, the new head teacher at Grove Academy. He is looking to build links with the wider learning community. I mentioned we had an active community council that would welcome input from young people and with Neil's permission I provided Mr Woodcock with his contact details.

Last week I was delighted to attend the 10th anniversary celebration of Friends of Broughty Ferry Library. The Friends group was established with the aim of promoting and supporting Broughty Ferry Library and the library service in general. Some of the

things they have achieved include raising money for new furniture, display stands and other equipment, organising a regular programme of evening talks, holding an annual poetry/prose competition, and raising issues of concern with Leisure and Culture Dundee. Many thanks to the volunteers who contribute their time in supporting the library, which is such a valuable asset for the local community.

A reminder that the Winkie sculpture is being unveiled at an event on Thursday. I have been in contact with relatives of Winkie's owner who will be in attendance, including a lady who held Winkie as a little girl.

During Storm Babet I responded to a large number of enquiries from residents concerned about flooding issues. I made some requests for sandbags to be deployed and I am still engaging with residents regarding ongoing issues. I thought it might be worth noting the sandbag advice from the council.

“Dundee City Council do not issue sandbags to residents as a precautionary measure unless it is during a flood event, an emergency situation, or there is some certainty of the specific flood risk (e.g., pallets of sandbags are deployed in specific areas when coastal flooding is predicted, and also at specific areas along watercourses when there is a high risk of fluvial flooding to properties).

The deployment of sandbags is always at the discretion of DCC (Road Maintenance Partnership/Tayside Contracts).

During heavy localised intense rainfall there is no certainty as to which areas of the city will be at risk, and therefore it is not practical to provide sandbags to all properties which are potentially at risk and/or where a request is made by residents.

The council only have a limited supply of sandbags, these will be issued on a priority basis until supply is exhausted.”

Cllr Craig Duncan's Report (Previously distributed)

Swastika Graffiti Barnhill; At the request of a resident appalled by the recent appearance of an example of such utterly unacceptable symbols graffitied in Abercromby Street, I reported the matter to the council asking that the Rapid Response Team deal with this as soon as practicable particularly in consideration of ongoing events in the Middle East and the fact that Abercromby Street is inter alia a route to and from a primary school.

Barnhill Cemetery Hazardous Wall; At the request of a concerned resident (who I met on site as a matter of urgency) I have highlighted to the council what appears to be the potentially dangerous condition of parts of the wall between the cemetery and the southern perimeter of Gillies Park, including multiple cracks and loose or missing coping stones. The council assure me they will investigate and block off with Heras type fencing until a proper assessment has been made and a course of action established.

RBS Closed; The Broughty Ferry branch of RBS closed with effect from 1pm Thursday 2nd November, despite the fact that there was no consultation with the local community, despite the fact that I had met with a senior RBS representative urging at least a “stay of execution” to see if footfall improved, despite the fact that a motion I presented to committee urging reconsideration gained unanimous cross-party

support on the night, despite that fact many local residents and visitors objected. A shameful outcome in my view.

Leaves; I have received a great many complaints about fallen leaves and although that is not surprising at this time of year I have highlighted the most complained about and/or potentially dangerous locations (e.g., hills at bus stops) to the council.

Fallen Trees / Branches; In the wake of recent bad weather (Storm Babet) I have reported several instances of fallen trees and broken branches at various locations such as Rossie Avenue, Anton Drive and Reres Park Hill and at my request officers conducted a safety survey at Reres Park identifying trees / branches in need of removal.

Overflowing Bins; There seems to have been an uplift in instances of overflowing bins at various locations and in addition to reporting examples I have asked managers to identify causes and ways to minimise these occurrences in future.

Cllr Pete Shears Report (Previously distributed)

Apologies for my absence at the start of the month and for my non-attendance this month, I was on a period of compassionate leave through recess and an unfortunate change in circumstances means I'm unable to attend this month. Hopefully this will be resolved soon. Short report following my return to work.

Storm Babet; Several areas of the Ferry were badly hit by Storm Babet. Localised flooding, damage to property, and dangerous trees have all been reported. As I'm sure other councillors have also seen, this has taken over my case work over the last couple of weeks with most cases being worked on an individual basis. There is an all-parties meeting being planned for residents in Panmurefield, and fallen trees have been logged with the city's environmental department who are working through a matrix to get these removed throughout the city. As expected they are extremely busy and prioritising tree removal on the basis of safety.

RBS; My 2000+ signature strong petition was sent off to RBS a few weeks ago, and unfortunately they haven't even graced the community with a response outside the generic message all elected members and the Chief Executive of the council received when we have challenged the closure. An incredibly disappointing response to a big community outpouring. I have written to the 2 remaining banks in the Ferry asking for their commitment to remaining open and available for local residents.

14. AOCB

Planning Secretary John stated there is no guidance as yet for Community Councils from the planning department with regard to short term lets. Licences for short term lets are costly and have many conditions to be met prior to granting the licence. It is not known who checks the let or who controls it.

A member of the public present asked if there was any feedback on the new restrictions regarding driving on streets in the Easter primary school area. Parents are parking in the restricted (driving areas) prior to the restricted times and sit with their engines running which causes pollution. Bailie Scott stated a working group report will be produced following a settling in period, and he will report back to BFCC. Stan Nutt stated Fishers buses are still sitting in Claypotts Road when picking up Grove Academy pupils with their engines running for some period of time.

Fiona Potton informed the meeting, Broughty Ferry born Jim Roger, who was a former dux of Grove Academy and a missionary in the Belgian Congo where he was executed in 1964 (with 2024 being the 60th anniversary), DCC are looking at installing a blue plaque in his honour.

Date of next meeting;

The next Ordinary Meeting will be held on Tuesday 5th December 2023 at 7.00pm in Broughty Ferry Library