

Broughty Ferry Community Council

**Minute of Ordinary Meeting held in Broughty Ferry Library on Tuesday
2nd April 2024.**

Meeting opened at 7.00pm

1. Community Councillors Present

Neil Cooney (Chair) Doreen Phillips (Vice-Chair), James Doig (Secretary), John Watson (Planning Secretary), David Easson (Treasurer), Stan Nutt (Licensing), Chris Johnston, Fiona Potton, Isobel Mclean, Norma McGovern,

In Attendance

Nil

Ex-Officio

Bailie Derek Scott.

Apologies

Charlie Delaney, Kenny Matheson, Lorna Murray, Doug McLaren, Tara Javed, Christine Rea, Joanne Kelly, PC. Steven Wallace, PC. Stewart Merchant, Cllr Craig Duncan, Cllr Kevin Cordell, Cllr Pete Shears.

Members of the Public Present

5 members of the public were present.

2. Minute of Previous Meeting (5th March 2024)

The draft minute of 5th March 2024 was agreed (following an amendment to Cllr Duncan's report – Beach Crescent Flooding, delete **others**, insert **Officers**) as a true minute, proposed by Doreen Phillips, seconded by Isobel McLean, and agreed by the members present.

3. Matters Arising

Lack of toilet facilities in central Broughty Ferry; discussions still ongoing ?. The Library toilet is considered unsuitable for general public use. It was noted there is always a queue, especially when small children are present and although there is a toilet downstairs it is not suitable for the public, therefore, the library requires additional toilet facilities for public use.

Short Term Lets; It was agreed invite a representative of the Planning Department to a future meeting to update members on the new regulations regarding 'short term lets.

Planning Secretary has intimated Principal Planning Officer Gary Knox to speak on NPF4 and Short-term Lets, probably at the June meeting.

Broughty Ferry, Proposed cuts; Bailie Scott had highlighted the savings required by DCC over the next year may lead to (The closing of Broughty Castle, the introduction of street parking charges in central Broughty Ferry, cuts to school crossing patrol officers).

These facilities will be funded for a further year, but, a consultation process document produced, will take place this year which contains possible proposals. The parking charges option wasn't taken forward and funding was provided for the castle for 2024/25, but with the caveat that consultation be carried out to explore options for its future along with the other Leisure and Culture facilities that were being considered for closure. A copy of the report was forwarded to members.

The community council will want to ensure that it is included in the consultation. *Included with the above report was a 'Consultation Process Document' from DCC with regard to further proposals and consultation process with regard to (Broughty Castle Museum, Mills Observatory & Caird Park Golf Course). Recommendations from the Committee, Financial Implications and Background.*

With regard to the consultation paper on proposed cuts in Broughty Ferry it is noted there is no status quo on the document.

Broughty castle is an important and beneficial tourist attraction for visitors, we could organise a joint approach (with Broughty Ferry Traders) to Dundee City Council on reasons for keeping the castle open, and possibly get the view of Historic Scotland on the possible closure. Chair Neil to investigate.

Westfield Road Traffic Issues; (The background to the problem, including the damage to residents parked vehicles being damaged / written off by delivery lorries using the road out of Broughty Ferry with the aim of a consultation meeting with interested parties to discuss the options which may include calming measures and request supermarket lorries to avoid Westfield Road. Bailie Scott contacted the council's roads team about the issues raised by Westfield Road residents. The senior engineer has advised that he would like to deploy a mobile camera at the location to get a better understanding of the issue before determining what action might be required. I haven't got a date for when this might be done as there are a number of other sites requiring a camera survey.

4. Chairs Report

BFCC has joined the Scotland forum for Community Councils (the majority of Community Councils have joined the forum). It is noted that 'Pret A' have submitted a change of use planning application for the former M & Co, shop in Brook Street, Broughty Ferry.

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

No notifications received.

6. Police Report

There has been an increase in reports of anti-social behaviour in the following areas; Whinny Brae, Strathmore Street / Campfield Square shops / Barnhill Cemetery, Nursery Road through to Hazelton Way.

Youths appear to be congregating in this area and causing issues to those living in the area. It would be much appreciated if any sightings of youths engaging in anti-social behaviour could be reported to Police via 101.

On 05/03/2024, PC Wallace and PC Merchant attended at the Broughty Ferry LCPP walkabout. This was well attended and was a great place to discuss issues in area of Abercromby Street, Ceres Crescent, and Gillies Park with partnering agencies.

Licensing checks have been routinely carried out in pubs and restaurants within Broughty Ferry and we will continue to carry out these checks going forward. We will also patrol the Esplanade, beach, and area around the castle as the good weather comes in to combat any influx of youths attending in the area by bus. A problem that has been persistent over the past few years.

Schools; Drivers continue to abuse the prohibition road outside Eastern Primary School at both Church Street and Camperdown Street. Longhaugh Community Policing team have carried out traffic initiatives in these areas and engaged with the local residents and those involved.

It has been brought to our attention by school staff that these issues are also prominent at both Barnhill Primary School and Forthill Primary School whereby vehicles are parking on zigzag lines outside the school and abusing the prohibition road at Fintry Place.

These prohibition roads are in place between 8.30am and 9.15am and 3pm and 3.30pm on school days and must be adhered to in order to ensure the safety of the children attending these schools.

Longhaugh Community Policing Team will continue to work with Traffic Wardens to try and combat this issue.

Events; PC Stewart Merchant and PC Steven Wallace attended 'Coffee with a Cop' at Broughty Ferry library on 25/03/2024 where they met and spoke with the local public and addressed numerous concerns.

7. Secretary's Report (Previously Distributed)

Correspondence

13/3 Scottish Forum Community Councils – March newsletter.

14/3 DCC – 20mph speed limit, Panmurefield Village & Broughty Ferry.

21/3 DCC – 20mph speed limit, Menzieshill & Elmwood areas.

27/3 DCC – LCPP meeting, February minutes.

27/3 DCC - DP Assessment Quotes.

8. Planning Report 1st – 29th March 2024 (Previously Distributed)

Of the 7 planning and 8 tree applications validated during this period, one required attention.

The following letter was sent to Planning Officer Craig Swankie;

**24/00150/FULL – Land South of 144 Strathern Road, Broughty Ferry, Dundee.
Erection of dwelling house.**

A similar planning application **23/00681/FULL** to which this community council objected was subsequently withdrawn on the 15th February 2024.

A previous application **21/00860/FULL**, was refused, which decision was upheld by the Local Review Body dated 18th April 2023.

In the planning statement attached to the current application in section 2.1 of the existing site description, the applicant now refers to the whole site that is 144 Strathern Road as the dwelling's garden land and refers that site to be in two distinctive plots while current plans show it as one site. The applicant elsewhere uses the term subjective when referring to the key issues relating to the earlier refusal. That term can equally be applied to the content of 2.1 when reference is made to the site being considered as *lacking any meaningful privacy value as garden ground, leaving it susceptible to overgrowing, and as such the garden ground is considered vacant and under-utilised and does not contribute to the visual character of the area*. It is considered reasonable to contend that the opinion that the site does not contribute to the visual character of the area is wholly due to the applicants neglect in order to create conditions that it should be considered vacant. It is not vacant; it is garden ground attached to the current dwelling. Properly cared for it would continue to add to the visual character of the area, whereas to erect the dwelling as planned would detract substantially from that visual character.

Broughty Ferry Community Council has looked again at the reasons for the refusal of the earlier application.

- Failure to comply with Policy 14 of NPF4 and Policy 1 of the Dundee LDP.
- Failure to comply with Policy 16 of NPF4 and Policy 10 of the Dundee LDP.
- Failure to comply with Policy 13 of the Dundee LDP.

It can see nothing that would provide good reason to conclude that these three reasons should not apply again and provides its **preliminary decision that it objects to the application**. Proposed by Doreen Phillips, seconded by Norma McGovern and agreed by members present.

Additional Planning Application: 24/00182/FULL – 26 Westfield Road, Broughty Ferry, Dundee, DD5 1ED; Formation of Doorway, addition of flue and erection of garage (Retrospective).

Letter sent to Planning Officer Craig Swankie, dated 1st April 2024;

The site lies within the Broughty Ferry Conservation Area (2014) and has been subject to allegations by nearby residents of a planning breach in regards to application **21/00504/FULL** that was approved on 14th December 2021. Specifically, it was alleged that the build height of the garage exceeded that approved.

This was brought to the attention of the planning department in an email dated 5th February 2024. An immediate reply was received that indicated the development was being investigated by planning enforcement and following a site visit the garage was found to be higher than the approved plans.

It was further advised that the matter was being considered by planning enforcement officers. This retrospective application may be as a result of that further consideration and will be assessed on its own merits against current legislation with the outcome not guaranteed or known until fully considered and determined either by officers or the planning committee. BFCC realise that the appropriate planning procedures are being followed and on this occasion wish to make clear that it remains neutral in so far as the formation of doorway and addition of flue forming part of this application is concerned.

Retrospective approval for the erection of the garage remains an issue and attention must be drawn to the difference between approved proposed south elevation drawing attached to the **21/00504/FULL** application and the same elevation in this one.

The former clearly shows the height of the garage at 5.5m while the latter requires the examiner to scale the image, which to a layman can produce a result of between 6.0 and 6.3m, a probable height difference of 0.8m. This height difference would have required a complete re-design of the upper level of the garage as opposed to that approved. It is known that the actual build of the garage structure did not begin until after the summer of 2023, some 22 months after the approval of the application, plenty of time for the applicant to seek to amend the approved application.

This Community Council contends that in every case a development should be completed according to the approval provided by Dundee City Council, unless circumstances arise that dictate otherwise and, should changes become necessary, early advice should be requested of the planning authority.

BFCC's preliminary view is that the outcome of this retrospective application specifically in regards to the proposed garage (which stands built) should not favour the applicant.

Following discussion, BFCC objects to the application, proposed by Fiona Potton, seconded by Norma McGovern, and agreed by members present.

It was noted that Scott Bro's (butchers) are moving premises, and have submitted a planning application to DCC for the building (old bank) at the Brook Street/Gray Street junction. There will be no changes to the external (listed) building.

9. Licensing Report.

No Licence applications received.

10. Public Relations Report

No approaches to BFCC for comment.

11. Beach Management Report.

Members met on 16th March and discussed several issues, including new signage, and when this would be available, particularly in and around Castle Green where young children are playing and where the new cycle pathway is almost complete. A new handrail has been installed leading down to the beach.

Awaiting an update from Scottish Water regarding flooding in the Broughty Ferry area and info with regard to Private Finance Initiative (PFI).

12. Matters Raised by Community Councillors

Broughty Ferry Castle & it's Future (John Watson), as highlighted at last month's meeting. Funding is available for the next year, but how do we achieve continuation of the castle's future in the long term ?. Possibly as a museum, but would require a partnership with numerous people, and will require discussion with many Broughty Ferry businesses and interested parties.

The Scottish Forum of Community Councils, of which we are now a member was set up in 2023. The recent report received intimated funding for the forum would be required from the local Community Councils. If it is felt being a member of the forum is of little or no benefit to BFCC and we can opt out as a member at any time.

Community Fridge; Doreen intimated the present update; the planning application has been validated for the former taxi office next to the level crossing in Gray Street. The 'men's shed' are assisting with shelving etc, and it is hoped a water tap can be installed. The rent is presently set at £1000 per year and although some funding has been received, additional funding would be appreciated. BFCC may assist with a donation once the unit is open for business.

13. **Contributions from Elected Members**

Bailie Derek Scott's Report (Previously distributed)

Beach; As in previous years the local elected members will be meeting with the relevant Neighbourhood Services Officers, during April, in advance of the bathing/water sport season, to discuss arrangements and any actions required.

Road repairs; The Roads Maintenance Partnership (RMP) published its capital works programme for 2024/25. Unfortunately, it's meagre fare for Broughty Ferry with only two locations featuring:

Balgillo Road – Ballinard Road to Balgillo Road East will receive surface dressing.

The Esplanade – Rugby Terrace to Shiell Street will receive surface dressing.

The Esplanade – Brook Street to Mill Street will be fully resurfaced (already started).

I am hopeful that some of the streets I have highlighted as needing attention will be picked up within RMP's structural inlay programme.

Dundee City Council's investment in road maintenance has reduced by 25% since 2018/19 and is budgeted to decline further over the next five years. Accordingly, road conditions are projected to worsen with increased occurrences of potholes.

Pavement Parking; I thought the Community Council members would want to be aware of this in case any enquiries are received. In the streets where the council is promoting exemptions to the pavement parking ban, contraventions will not be enforced until the consultation stages are completed and a final decision has been made.

Strathern Road; A few people have commented that the recently installed raised table at Strathern Road doesn't seem to be too raised when driving across it. The roads engineers have advised that a balance between being too aggressive and slowing traffic had to be designed. The accident record was due to vehicles failing to stop when crossing Strathern Road from Fairfield Road, so there is more of a gradient on the speed table north and south of the junction.

This will hopefully have the desired effect of slowing down vehicles approaching the speed table from these directions. It will be monitored and I understand additional measures can be implemented if it doesn't work as intended.

Vehicle activated signs; There are vehicle activated signs in a couple of locations in Broughty Ferry. The signs are intended to be erected at a location for a short duration, typically two weeks, then relocated to other sites with reported speed issues. The signs also collect traffic information (speed, times, and volume) and rotation of them allows the council to tackle multiple sites throughout the city.

There are several streets in Broughty Ferry that I have asked for them to be utilised. I noted that the current ones appeared to be inactive. Having raised it with the traffic team it was agreed that the signs had remained in place beyond the battery life and for a prolonged period. I was assured their deployment and rotation will be improved, which should allow for a more informed response to community concerns.

Cllr Craig Duncan's Report (Previously distributed)

Forthill Primary – Pupil Safety; I again met with the Head Teacher and a representative of the Parent Council to discuss and consider how the pupil safety can be improved and among a wide-ranging review I agreed to try and source additional portable barriers which the school community has been experimenting with and can confirm these will be supplied and moreover that I will as requested arrange another multi-agency site visit soon, to which I shall ensure all ward members are invited.

Potholes; A never ending list But I have raised concerns regarding multiple locations such as Albert Road, Clinton Terrace, Brook Street, Union Street, Abercromby Street, Trail Street, Esplanade, Challum Crescent and on and on. I have received assurances that these and many others I have raised will be attended to.

Gutters & Gullies; I am frequently contacted by residents that such matters are not attended to on a more regular basis and that in wet weather ponding and even flooding occurs, accordingly I regularly raise such concerns and whereas I am pleased to have recently personally observed leaves being cleared up in Victoria Road and a gully machine working Albany Road there are many other locations in need of a visit and frequency of visits need to improve and I have called for this.

Beach Clean Ups; Our Community is blessed with various groups and individuals who carry out such community minded work and I have been pleased to intercede with the council when required to arrange uplift of items collected.

206 Bus Service; The funding for this service was withdrawn by Dundee City Council and I am sad and angered that this lifeline service is no more and makes a mockery of any talk about “social inclusivity”, not to mention combating climate change by providing public transport alternatives to private transport.

Orchar Park Pavilion; I am afraid that there is still little or no discernible progress on repurposing this facility and I have yet again urged the council to redouble its efforts.

Panmure Street / Monifieth Road; I am pleased that following many urgings to enhance road safety in this vicinity particularly for pedestrians that improvement works are imminent.

14. AOCB

There was some discussion with regard to the traffic problem in Westfield Road (intimated at a previous meeting). As there had been positive responses, residents are requesting a public consultation with various agencies involved, including DCC, Traffic Management Team, M & S, BFCC, residents and other interested parties.

Treasurer David Easson intimated the Broughty Ferry church's Good Friday distribution of hot cross buns was highlighted in the local media and was great publicity for Broughty Ferry.

Date of next meeting;

The next Ordinary Meeting will be held on Tuesday 7th May 2024 at 7.30pm (following the AGM) in Broughty Ferry Library.