

Broughty Ferry Community Council

Minute of Ordinary Meeting held in Broughty Ferry Library on Tuesday 3rd September 2024.

Meeting opened at 7.00pm

1. Community Councillors Present

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

In Attendance

Nil.

Ex-Officio

Bailie Derek Scott.

Apologies

Tara Javed, Molly Laidlaw, Doug McLaren, Christine Rea, PC. Stewart Merchant, Cllr Craig Duncan, Cllr Kevin Cordell, Cllr Pete Shears.

Members of the Public Present

Six members of the public were present.

2. Minute of Previous Meeting (2nd July 2024)

The draft minute of 2nd July 2024 was agreed as a true minute, proposed by John Watson seconded by Stan Nutt 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 highlighted to DCC that the library was the only community centre in Broughty Ferry, where the toilet facilities were unsatisfactory. DCC maintenance team will look at resources and conduct a report with regard to the required maintenance.

Update; There was a period in July when the toilets were not cleaned

(by Tayside Contracts) on Saturday 20th, Monday 22nd Tuesday 23rd & Thursday

25th, during which, it was stated 240 attended on the Saturday 292 on the Monday & 251 on the Tuesday, in addition the library supplies the soap from petty cash.

In contact with DCC, Tayside Contracts are to review and reassess the cleaning schedule.

Fiona intimated, due to regulations, the maximum number of people in the library at any one time after 7.00pm is 60.

Westfield Road Traffic Issues; 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).

Broughty Ferry Castle & it's Future, as highlighted at previous meetings, 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.

Planning with regard to the castle are in progress. If the Castle was to close it would mean more toilet facilities (within the castle) unavailable to the public.

Pamphlets are available in the library regarding the possible closure, consultation, and communication.

It was noted that the consultation period has closed.

Flooding in Orchar Park (raised at a previous meeting) is to be further investigated by DCC and a solution found.

4. Chairs Report

Chair Doreen, welcomed everyone to the meeting.

The Ferry fridge AGM is being held on Thursday 19th September at 7.00pm in the library. Interested parties and volunteers are welcome to attend as would ideas for fundraising.

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

Web form; from visitor 21/8/2024 – Smelly sewage pouring out from manhole cover onto the beach outside the Windmill car park public toilets. Forwarded to Cllr Craig Duncan & Bailie Derek Scott for action.

Message's from Bailie Scott & Cllr Duncan stating, the problem has been highlighted to relevant council officers and drainage contractors for immediate attention, which has been done and the problem has now been resolved by Scottish water.

6. Police Report

Nil

7. Secretary's Report (Previously Distributed)

Correspondence

8/7 - From DCC Community Learning & Development regarding a possible joint meeting with other Community Councils across the city. Following discussion, members felt a joint meeting could be of benefit to BFCC.

23/7 – From Christine Rea; LCPP meeting date postponed, now 5/9/24.

6/8 - From Christine Rea; Community wishes portal (small project requests).

27/8 - From PC Stewart Merchant ref report & attendance at meeting 3/9/24.

27/8 - From Christine Rea; Planning training for Community Councillors.

8. Planning Report 1st July – 30th August 2024 (Previously Distributed)

Of the 23 planning and 7 tree applications validated and examined during the above period, two required attention and two comment for members advice and consideration.

24/00452/LBC – Internal and external alterations and down takings to form 7 flats.

Ferry House Residential Home, 8 Gray Street, Broughty Ferry, Dundee DD5 2BH

24/00453/FULL – Change of use from care home (Class 8) to 7 flats (sui generis) and associated alterations and down takings.

Ferry House Residential Home, 8 Gray Street, Broughty Ferry, Dundee DD5 2BH

These applications refer to a B listed building situated within the Broughty Ferry Conservation Area (2014). It is a valuable feature of Broughty Ferry's historical past and the house appears in an engraving of the area in 1835. It became a home of rest in about 1921 and later a care home for elderly ladies before finally closing as such earlier this year.

Examination of the existing and proposed elevations attached to the applications revealed that the external views of the entire development will not change and the visual impact to what has been this area of Broughty Ferry for perhaps the past 200 years. In fact, in the absence of the original elevations of the property, the proposed south elevation could be construed as that of the original. Broughty Ferry Community Council regard the fact that little change is proposed to the visual impact as an essential element in its consideration.

In regard to internal alterations, it is content to rely on the planning department's decisions in due course.

Broughty Ferry Community Council's view is that it supports the applications.

24/00523/TPO – Land South of Anton House, Forthill Road, Broughty Ferry, Dundee.

Fell/remove/replace 10 x trees as per tree report.

In section 1.1 of the tree Survey attached to this application the terms 'prior to development' and 'proposed development' are used. While each planning application must be considered on its own merits this Community Council considers it necessary to refer back to planning application **22/00018/FULL – Erection of 2 houses** on this same site, which was withdrawn on 13th April 2022. The attached agreed letter of objection was sent to the Case Officer on the 17th March 2022 when this Community Council's reasons were made clear and hold fast still.

Since acquiring the site, the current owner has made no attempt to maintain it and it is now in an overgrown state resulting in a detrimental effect upon the character of the **Forthill Conservation Area**.

The tree survey reads clear and provides reason to oppose the need to fell all of the ten trees identified in the survey report. In section 3.3 of the survey under the heading **Tree Assessment Methodology**.

Category 'U' trees are said to be **unsuitable for retention within a development context** as they are dead, dying, structurally compromised or otherwise have a future safe life expectancy of less than ten years. The matter cannot be considered as being within a development context because this application is not attached to or forms part of an active development plan application. Therefore, the constraints imposed by such a context cannot be imposed during the consideration of this tr/00105ee application.

However, due regard must be given to the content of the survey and it is reasonable to accept that five of the ten trees with a remaining contribution of less than five years, namely, T12, T13, T22, T23 and T24 in Appendix 2A of the survey should be felled by reason of the content of that survey.

Broughty Ferry Community Council provide this view and ask that should the Planning Department be minded to approve the limited felling, it does so under the condition that the applicant immediately brings the site back to the condition that is seen to be cared for and again enhances the character of the Forthill Conservation Area,

Above agreed, and proposed by Lorna Murray, seconded by Charlie Delaney and members present.

23/00789/FULM – Land South of Linlathen Grove, Arbroath Road, Broughty Ferry, Dundee

BFCC provided representative comments to the planning department on 7th February 2024 after a debate at its ordinary meeting earlier. The application was **refused** on 13th August 2024 and agreements made.

24/00105/FULL – Erection of a house in garden ground – East of 11 Norrie Street, Broughty Ferry, Dundee.

BFCC objected to this development which was **refused** on 31st July 2024.

24/00494/MDPO and 24/00485/MDPO

Both these applications relate to Agreements made between Dundee City Council and Kirkwood Homes attached to the approval decisions of applications **18/00115/FULM** for 150 Homes and **19/00799/FULM** for 100 homes after appeals. Specifically, a contribution of the order of £5,100 per house unit towards the provision of primary education services was agreed.

Kirkwood Homes through their legal advisors is seeking to have the obligation to provide the contributions removed from the agreements, citing the basis upon which the agreements were determined no longer applied. The argument put forward is that the criteria for the capacity of Forthill Primary School/ primary school education has not been met according to the details of the agreements.

It is now a matter between the legal departments of both parties to resolve and not an issue for BFCC as a mandatory consultee on planning matters to consider. However, it is understood that the agreements were made because the demand for primary school placements caused by the developments would be such as to exceed the capacity available, resulting in the City Council being required to provide new facilities, involving substantial cost.

BFCC may wish to provide an opinion that the developer, in order to create the demand for the new homes, relies substantially upon the services provided by the local authority. It would not be unreasonable to suggest that the 250 new homes provided by the developer must increase the demand for primary school places;

it is that it should be liable to provide a contribution to the increased costs involved and not place the whole burden upon the local community.

The application to build additional houses by Kirkwood Homes has been refused by DCC. After debate, the meeting instructed that the Planning Secretary write to the Planning Department to object to the applications in the strongest possible terms.

Update; Planning Secretary informed the meeting, the complete demolition of the house/building in a conservation area, adjacent to the Bruach at 336 Brook Street (24/00447/CON) had been agreed by the planning department on 29/08/2024.

9. Licensing Report.

Objection, as agreed at BFCC July's meeting to the application from Urban Beach to extend their licensing hours sent to DCC Licensing department by Licensing Secretary following which, the application has been withdrawn.

10. Public Relations Report

Nil

11. Treasurers Report (Statement as of 3/9/2024)

Income:- £570 (DCC grant)

Expenditure:- £156.67 (Website, Living Streets, Scotways, Marine Conservation)

Total Balance £1703.30.

12. LCPP Report (meeting postponed to 5/9/2024).

13. Matters Raised by Community Councillors

Query regarding commemorative benches / plaques. The information for purchase etc can be found in the DCC website.

The problem of weeds in gutters etc. and speeding in West Ferry area highlighted, these items are mentioned within Bailie Scott and Cllr Duncan's reports, who have contacted relevant departments. With regard to speeding, eventually all roads (except main arterial routes) will be 20mph zones.

Although new high tech homes are being built within garden ground of old mansions & look out of character, architects and builders must adhere to planning regulations and conform to the legislation available.

There are concerns regarding disturbances within 'Rosendale veterans home in Victoria Road with police being involved on several occasions. Residents in close proximity should contact the anti-social behaviour team or police when problems arise.

There are problems with debris and broken glass strewn over the wild flower areas on the Esplanade and will be raised at the next Beach Management meeting.

Parents are not adhering to the restricted driving/parking in Camperdown Street, east of Claypotts Road, where road markings require replacement. Parents are risking injury to their own children.

Scottish Forum Community Councils (Declaration for Building a New Local Democracy in Scotland), received by the secretary, is noted for information only.

Bailie Scott intimated DCC Community Elections are probably due to be held in April 2025. Update received, *[Nominations for community councils would be sought in or around April 2025. Beyond that first election under the new scheme the responsibility for subsequent election dates passes to the community council to set their own dates and to agree this with DCC. This must be within the 4 year cycle ie at some point in 2029 – assuming there are no local or national elections within that year].*

14. Contributions from Elected Members

Bailie Derek Scott's Report (Previously distributed)

Pilot Peir; Residents have asked me about the appearance of the Pilot Peir and whether it could be tidied up a bit. I am in conversation with the city engineers about this.

20mph zones; A recent meeting of the council's Fair Work, Economic, Growth and Infrastructure Committee received an update on the roll out of 20mph speed limits. Lawers Drive and Camphill Road areas are progressing through the Traffic Regulation Order (TRO) process and are targeted for implementation in 2025/2026. It is proposed to start the TRO process in 2025/2026 for other locations across the city, including the Abercromby Street/Montague Street area.

Active travel proposals were also considered by the committee, including a tender for work around the Broughty Ferry to Monifieth Active Travel project. The package includes carriageway resurfacing of the Esplanade and new tabletop crossings at the junctions Brook Street, Panmure Street and Rugby Terrace.

School Crossing Patrol Forthill Road; A light controlled crossing on Balgillo Road was recently installed on the west side of Forthill Road. This has resulted in the school crossing patrol point on the east side of Forthill Road no longer being a safe point to be operated, due to the proximity of the crossing. Once children have crossed Balgillo Road using the new crossing they walk down Forthill Road on the opposite side to the school and need to cross both Luke Place and Fintry Place. It has now been agreed that a school crossing patrol point will be established on Forthill Road between Balgillo Road and Luke Place. Children will cross at the light-controlled crossing on Balgillo Road and then the school crossing patroller will cross the children to the east side of Forthill Road before Luke Place.

Update; Location has been established and a buildout will be installed at the crossing point.

Royal Mail; I had occasion to write to Royal Mail again about erratic deliveries in DD5, most notably in the Dawson area. The senior public affairs manager said that difficulties arose because of sickness absence. He advised me that deliveries are now taking place as expected, six days a week when there is mail to deliver.

Davidson Street wall; This has been raised with me by several residents. Properties were built in the grounds of the former Ballinard Hotel and the wall in question forms part of the site perimeter; however, it remains within the original developer's title. To enable the council to use its statutory powers, it requires to serve a dangerous building notice on an owner, which is not possible in this case as the developer's company was dissolved in October 2010. A solution is being worked on.

Balmossie railway footbridge; At one stage, changes to the railway footbridge at Balmossie were to be incorporated into the active travel project but were not taken forward due to the cost involved in making the ramps fully accessible and the proliferation of sewer pipes below the bridge. Residents have contacted me about the current state of the bridge and how it is detracting from the overall appearance of the new active travel route. I am pursuing this with the relevant authority.

Update on item from earlier meeting; I previously reported that erosion and a build-up of debris at the entrance to the beach along from the railway footbridge at Balmossie has made a difficult route to negotiate and that I had asked for it to be investigated by council engineers. This has now been done and they have reported that the storms last winter washed away the sand and gravel used to create the path, exposing the stone foundation. Unfortunately, if the path were reinstated it would be washed away again with the next storm. As an alternative action they are going to grade the remaining material down and remove some of the bigger stones to provide a more even walking surface at the lower level.

Residents' concerns; Since the last meeting of the community council the issues raised with me by residents the most are litter, speeding, weeds in gutters and channels and potholes. Measures been taken in response to all the individual cases.

Cllr Craig Duncan's Report (Previously distributed)

Forthill Primary School Crossing issues; People will be aware of the new pedestrian crossing on Balgillo Road is now in operation and following the return of pupils after the summer break a number of concerns were highlighted to me, such as the lack of signage to warn of new lights, the shortness of the pedestrian sequence, the proximity of a bus stop and so on, all of which I have raised with appropriate officers and some of which have now been addressed.

However, the area of greatest concern was the impending removal of Freida the long established and much admired School Crossing Patroller (SCP) from Balgillo Road and the fact that pupils crossing at the lights are on the opposite side of Forthill Road from the school and I met with the head teacher and representatives of the Parent Council to discuss these various concerns. Happily, it looks like a new SCP point will be established which will recreate the currently broken "Safer Routes to School" as confirmed by an education officer below.

The new SCP has been decided by Education/Tayside Contracts. The location I believe is to be highlighted to parents of the attending school children via a school newsletter / social media. As you are aware, there are new light-controlled crossings on Balgillo Road which results in children being on the opposite side of Forthill Road so we are installing a new SCP point on Forthill Road to cross them back over. Obviously I will continue to monitor how all of this actually unfolds in practice.

Bus Punctuality; I have again received and indeed personally witnessed several examples of late running buses and often buses not arriving at all despite being advertised and I have raised these concerns with the council in the first instance to make them aware and asking that they do what they can to intercede with operators.

Weeds; I have contacted the council regarding multiple examples of substantial weed growth on pavements and gutters in several locations and it is of particular concern that such unsightly growth creates an unkempt appearance especially in central Broughty Ferry which makes the wrong impact on visitors.

Beach Crescent Graffiti; I have asked the council to remove graffiti which has recently appeared on the new walkway / cycle way there.

Play Equipment; I have asked officers to replace or repair several instances of broken or missing play equipment at Gillies Park, Dawson Park and between Hamilton Street and Strathmore Street and in certain cases to consider if quite recently installed but broken equipment is actually robust enough.

Orchar Park Pavilion; I and residents continue to report incursions and acts of vandalism around the former bowling pavilion to both the council and police and security certainly has been improved but the real answer is for the pavilion and its grounds to be repurposed and I have again received assurances that a lease is close to being agreed.

15. **AOCB**
Nil

Date of next meeting;

The next Ordinary Meeting will be held on Tuesday 1st October 2024 at 7.00pm in Broughty Ferry Library.