

BUCHANAN COMMUNITY COUNCIL
Adopted Ordinary Meeting Minutes May 2017

ATTENDEES

Members present A Peebles (AP), L Buchanan (LB), A Lee (AL), D Morris (DM), D Lee (DL), L Holl (LH), and K Lilburn (KL)

L McKinley - Stirling Council (LMcK), W Nisbet (WN) –NPA

Apologies S Macfarlane (SMF), W Huckerby (FC),

Resignations M McLeman, due to leaving the area.

In Attendance 10 Members of the Community

DECLARATIONS OF INTEREST KL, BCP Director, directly involved with National Park Authority leasing of Balmaha Car Park

MATTERS ARISING

Hall Committee Communication Strategy AL asked if we had heard back from the Hall Committee who had sent a message to previous meeting advising they were developing a Communication Strategy and would contact us once it was established.

Joel Milner advised his wife Maggie, who was on the Hall Committee, was unable to attend tonight but he would pass the message on that we were keen to develop a line of communication.

Response from RSHA

DL asked whether T Teasdale of Rural Stirling Housing Association had responded to our question on whether a worker living in the Balmaha Affordable Housing business accommodation would become homeless should they lose their job. Secretary to follow up. **ACTION SEC**

Alcohol Signage KL asked W Nisbet for an update on signage in the area advising all visitors of the alcohol ban.

WN advised that nothing had happened as yet. Stirling Council (SC) were going to do the work and nothing done yet but was in hand. No information as to who was in charge of the signage or what information would be included.

It was considered to be a high priority and WN agreed to investigate and reply to the Secretary. **ACTION WN**

Commuted Sum 21.3.17

SC staff very helpful. Approaching them early was a good decision. Gavin Kennedy has advised that timing of planning decisions and work starting will be critical as to whether the money can go to the Balmaha development as the BCC had requested. They will endeavour to keep the Buchanan Community Council updated on any progress regarding the use of the commuted sum, once received. In the meantime, he thanked us for highlighting the potential link between both applications. He planned to make Rural Stirling Housing Association aware of our approach.

Changing bin collection day. SC Waste Services Manager has advised that no changes will happen until Service is up and running fully.

More bin collection lorries have been ordered and are in service. Two more still to arrive. They will reduce the time the bins remain on the roadside. Cons of Sunday collections – this is a tourist area. Main tourist days are weekends. Bin lorries add to access

problems. Early collection on a Sunday would waken the visitors/ later collections adds to access problems.

Does the community want us to pursue getting the day of the week changed when the SC Review takes place later this year? **AGENDA ITEM**

The community does want us to pursue getting the collection day changed.

Pedestrian Crossing points. We have advised Stirling Council representative of preferences. Due to be done in the coming months. Angela McGibbon (SC) will be ensuring that all signs within Milton will be in line with the signage on the road

APPROVAL OF MARCH 2017 DRAFT MINUTES

Amendments Add Lynne McKinley had sent apology

Proposed by KL **Seconded by** AL

SECRETARY'S REPORT

The BCC continues to develop communication channels with outside agencies.

CORRESPONDENCE. Correspondence is regularly forwarded to Councillors. Key items:

Congestion Balmaha

Balmaha resident contacted B Sec raising concerns about the traffic congestion in Balmaha over the weekend of 25/26 March and saying something MUST be done. Police responses have included: "It's very difficult for the Police on these days as there are so many vehicles. Issuing tickets, if appropriate, is not going to solve the problem and uplifting all the vehicles is not feasible.

2/5/17 - I can confirm that the Police were in attendance on Monday and a number of fixed penalty tickets were issued.

Road Closure Balmaha 7.5.17

A Visitor to the area emailed to draw our attention to the police closure of Balmaha on 7.5.17 saying whilst he understands the need when there is safety concern his issue was publicity of the closure.

He asked:

- 1) Can the Community council write to the National Park requesting an LED information road closure sign? This saves motorist driving along the road to have to turn around.
- 2) Can the national park have red amber and green indicators on an online map with hot spots to avoid on warm dry days?
- 3) Disappointed people like myself may chose not to visit and support the local economy if this situation is not better managed.

Submitted for your consideration

He added in another email:

If this is not addressed quickly the regulatory authorities will destroy the fun and enjoyment of the park.

Police have advised that there was a police presence over this weekend. Cars were stopped and advised of congestion and offered the opportunity of turning round. SC put up some notices but no details of where or what was signed.

NPA NOTES We are still waiting to receive notes requested three times from NPA re previous meetings regarding the Balmaha Car Park. The NPA have told us they will forward this once it has been compiled and prior to the meeting they previously scheduled for the beginning of March which they had to cancel.

Nicole Paterson, SC, response 8.5.17 will be discussed later in the meeting.

Newly appointed Councillors for our Ward – Alistair Berrill, Graham Lambie and Robert Davies.

Participation Requests These are now active as part of the Community Engagement development.

Admin Grant will only be issued once SC has received independently audited and approved accounts for 2016/17 plus draft Minute of AGM 2017.

Trustees Liability Insurance – the BCC has been approached and asked if we would like to add TLI to our existing insurance. Port of Mentieth emailed advising of problems they had incurred as a result of not having this insurance. SC is unable to provide any costing details until there is some information on how many Councils might be interested.

Proposal – Investigate further with a view to getting Trustee Insurance

Proposed AL Seconded LH

REPORTS

Police Full report on BCC website.

AL asked if the Police were present today as had been requested previously. The Police have been invited to attend the CC meeting in June to discuss traffic congestion in Balmaha. Are the Police aware that the BCC have noticed they haven't appeared recently?

AP advised that they had sent their report and advised they were unable to attend tonight. We can only ask them to attend. Their rotas and work commitments determine if they are able to attend.

Email reminder we would like them to ensure they attend June meeting. **ACTION SEC**

Planning - Details on BCC website, in the Communicator and circulated to Councillors. The Secretary and Chairman attended a meeting with Stuart Mearns and Bob Cook on 19.4.17 to get clarity on planning processes for the Planning correspondent.

Points from Meeting: The NPA Local Development Plan (LDP) was critical to their appraisal of new applications and should the BCC be asked to comment on a planning application we should first consider how it complies with the LDP and use objections that arise from that information.

Applications are viewed against current policies and not previous policies at the time of approval. Hence the Planners can pass an application which they had previously refused.

Forestry Commission. Report sent by W Huckerby (not present) and also available on the BCC website.

1. Felling complete at Balmaha, we may still carry out some felling next to the WHW corridor during the winter season.
2. We have been in discussion the National Park Environment team about some temporary information on the trail within the woodland (previously blue way markers), linked to the red squirrel habitat in the woodland. We will not be re-way marking this route at this point.
3. Sallochy campsite has been very busy over the last couple of weeks. Car parks and public road also very busy.
4. Very happy with the hill path works on Ben Lomond working with the Outdoor Access Trust for Scotland and the National Park Authority.
5. Harvesting work mostly completed at Rowardennan with some timber still to come out.
6. Note that the breeding Osprey population has now returned to the area, several pairs now on eggs. You can see an update on their progress with the cameras on the new at The Lodge Forest visitor centre and then if you are fortunate see birds feeding on Loch Lomond. <http://scotland.forestry.gov.uk/forest-parks/queen-elizabeth-forest-park/the-lodge-forest-visitor-centre>

The community restated the importance of the Blue Path for visitors and locals and emphasised the need for way markers on the Blue Path without which tourist would not locate and use the route.

The path is not usable at present due to damage caused by tree-felling equipment.

CC to write to FC to remind them of their willingness to reinstate the path (Minutes of CC meeting March 2016 which Liz Walker attended) and seek further information on way-marking decision.

ACTION SEC

Treasurer's report

No activity since the March meeting. Accounts as presented at the AGM. Current Account sits at £1045.87 and the Deposit at £650.32

Treasurer requested approval to pay AP £106.65 for costs incurred in the printing of the May Communicator.

Proposed DM Seconded KL

Police Report – Full report on BCC website

Extra information not included in report: B837 closed over the weekend of 7/8th May due, it is thought, to the amount of traffic which couldn't be accommodated in Balmaha. SC had put up signs advising of road closures but no information available about what the sign/s said or where they were placed. Some locals were delayed by 20 minutes getting back into the area.

KL advised that there was a sign at the entrance to the car park. This may have been put up by the NPA following information from Rangers further up the Lochside which was previous method of notification. Paul Barr, NPA Policeman had advised him that Decriminalised Parking Enforcement was now the job of Stirling Council (as of 3.5.17) which he said appeared to be working and the enforcement officers were out at the weekend. He could no longer issue tickets. Road closure may also have been in response to fire engines requiring access to the fire above the Balmaha Car Park.

PC Craigie will be replacing PC Murphy in Mid-May.

Response to be submitted from BCC.

High increase in speeding vehicles (boy racers) in the area from Balmaha Pier to Buchanan Smithy between 11pm and 2am. Please will they investigate?

Using Twitter to advise people of parking problems in the area has limited effectiveness. What other ways do they notify the public?

ACTION SEC

KL noted that parking beyond Balmaha is a problem again. Who do we call to report people parking in the clearway?

LMcK thought that now came under SC and she would come back to us with a telephone number.

ACTION LMCK

Reporting troublesome campers.

A resident reported campers who'd been in the area for 36hrs to Rangers who attended. The people didn't move so Police were asked to attend. There was a concern that recalcitrant people would play the Rangers off against the Police.

LB asked how the public should report illegal camping issues and asked for clarification on the roles of the Rangers and Police. WN confirmed infringement of Camping Byelaws was a police issue and should be reported to them on 101. They can advise the Rangers. Byelaws enabled the Rangers and Police to advise visitors of the Byelaws in case they hadn't seen/understood the implications of the sign. Most visitors complied and others either decided not to return or were dealt with by the Police. KL added that the rangers' role was to educate campers and they could enforce if permits were absent. He added that some rangers had become special constables.

AP commented that visitors were currently unaware they were entering a no alcohol byelaw area due to absence of signage. New signage is therefore highly important.

AL asked WN what the NPA were doing to resolve this issue. WN replied it was in hand but no date for completion available from SC.

LMcK said she would ask in the office and come back to us.

ACTION LMCK

Chair considered this needed resolving before the tourist season escalated further.

WN agreed to write a short report for the BCC newsletter as to how these relationships work.

ACTION WN

Resilience Plan and survey road north of Balmaha – KL Work not yet started but he hopes to get something done in the next month or so.

CONSULTATIONS

Waste Bins Balmaha Car Park

This resulted from visiting Balmaha Car Park and finding paper bin overflowing. On contacting George Sommerville (GS), SC Waste Services Manager he responded promptly and was very helpful. A visit a month later showed this problem yet to be resolved and an update, including photographs, was forwarded, to which he again responded promptly. It is unclear at this time whether the cars parked in bays in front of the bin have prevented the emptying of the paper bin by the contractor.

GS asked whether we wanted rubbish bins of the size and nature currently situated in the car park on the grounds that bins encourage rubbish, all locals have bins for their waste and visitors don't contribute to the cost of removing their waste from the area. (Clothing bin not put in place by SC but contact them if we want it removed.) He did have plastic/can recycling bins available if required.

AP questioned whether there was a need for glass bottle banks bearing in mind it was alcohol which usually came in glass bottles and that is banned in the area.

Question: Do we want rubbish bins in the car park?

One person responded that we need more bins not only in the car park but along the B837 due to rubbish being deposited in the verges.

Bins must be emptied on a regular possibly daily basis.

Encourage people to take rubbish home.

Resident said household paper bins are insufficient on a once a month collection basis.

Could personal plastic bins go to once a month and green bins twice a month? This would have to come in for the review later in the year.

Agreed we get plastic/cans recycling bin. Keep bins already in place. Ask for paper bin to be replaced as current one is revolting?

ACTION SEC

Are they in the right place? Concern that there are parking places in front of them possibly preventing collection lorries gaining access to them.

Concern raised that by moving them you may reduce the number of parking bays all of which are critical. Stay where they are?

Item for June Agenda

Management of Balmaha Car Park

Jaki Carnegie (JC), Director Corporate Services, LLTNP had provided the short report for the Communicator as the three page Draft Outline Proposal document handed to the Chairman and Secretary after a Planning meeting with Stuart Mearns and Bob Cook was for circulation to councillors only. No formal meeting between NPA and BCC held to date after they cancelled the early March meeting they had scheduled.

KL Reported

Background – KL outlined the background to NPA and BCP interest in the car park. There's policy in place now for parking charges in Balmaha Car Park to commence to bring it in line with other NPA managed car parks.

NPA, SC and community organisations such as the BCC and BCP need money to undertake projects. The BCP is constituted to hold and accrue money and apply for match funding. Many years ago someone, KL believed the previous Chair, had suggested it would be great if the BCC could take control of the car park, introduce charges and any money raised could be invested in the community.

The previous BCC initiated transfer of the Balmaha toilet site and adjacent grass triangle from Stirling Council. Following SC's notification that community councils could not hold heritable property, the project was transferred to the BCP which can hold assets.

Following the BCP Extraordinary meeting to discuss the BCP taking over the transfer of land from the BCC, KL asked fellow BCP Board members if they were in favour of exploring the possibility of the BCP taking over the management of the car park in order to raise money for the local community, which they were.

Fiona Logan, then CEO of the NPA, made an initial approach to SC on behalf of the BCP at the request of KL. Whilst receptive to this idea, SC were not prepared to hand over assets to a community body until they were confident the body could manage it properly in the long term.

Before the BCP could produce the required evidence SC required, the NPA, then under new management, approached SC with a proposal to take over a lease of the car park to bring it in line with others they already managed.

BCP reminded the NPA of their prior approach and the NPA agreed to include the BCP in the proposal.

NPA OFFER to BCP

Once all costs including rates and parking management company fee have been paid, the net profit from parking charge revenue will be split: 40% to Stirling Council, 30% to NPA and 30% to the BCP plus 100% of residents' pass revenue (expected to be £30pppa).

Details are still to be worked out including possible displacement of parking.

BENEFITS

NPA has funding to cover the introduction of high tech equipment (e.g. automatic number plate recognition) to recover parking charges and wouldn't need to prove diligence as required of the BCP.

New revenue source for community.

All projects require money which BCP currently doesn't have.

The community will benefit from this project.

FUTURE SUGGESTIONS FOR USE OF FUNDS BY BCP

KL said his ambition is to use money raised to try and resolve the parking/congestion problems in Balmaha and might include help funding additional parking facilities in the area. He described a win/win situation with no risk or effort from the BCP.

Other options might be to dissuade people from coming into the area when it is overcrowded or manage them better when they come.

Under Community Empowerment legislation, the BCP could, in the future, apply to take over ownership and would have a proven track record.

KL then answered questions:

1 What charges will be made for locals visiting the shop? Draft proposal shows first half hour free, thereafter charges will be made. Residents pass will cost £30. AP commented this is not in line with previous information provided by the NPA in Sept 2016 or with Forestry Commission (FC) charges. Current charges not available on NPA website. KL advised that charges will be in line throughout the park. Different project organisers hence change to fees.

2 Who will maintain car park? NPA, although SC may be contracted to do work.

3 Residents Pass. Would spaces be ring-fenced for locals with passes? No

4 How will the expectation that holding a resident's pass doesn't ensure access to a parking space be managed? How many residents would want to use the car park on busy days?

5 Could a few spaces at front of car park be allocated to residents? Not at the moment. Visitors might park in marked slots anyway.

6 What is the expected income? Unknown as there is no car count data.

7 Will both my cars be covered by the one pass? No but maybe in the future. The BCP could refund the pass cost if a resident feels particularly strongly about paying or it could be seen as a donation to the BCP.

8 AP you keep referring to "we" but the Draft Outline Proposal has come from the NPA. Please will you clarify who is running this project? Jaki Carnegie is running this on

behalf of the NPA. She has got this up and running in under 2 months and it can be activated very quickly.

9 LMCK What process will the BCP put in place to manage the funds which is visible to all?

10 What thoughts do the BCP have about spending money on traffic management?

No idea of expected amount coming in. Suggestions would be to spend it on the car park/contributing to solving the parking issue up the length of the road/supplementing cost of a traffic enforcer/building a new car park.

11 What about electric parking bays? Increasing them? KL not aware of plans to increase them just now but NPA would most likely maintain them.

12 Should everyone be encouraged to join the BCP? Is that possible? Whole community is eligible to become a member.

13 What about extra capacity? Manse field which was used previously. BCP could approach owner and offer to manage it for him in accordance with his wishes. Or forest area at the back of the existing car park. Not a simple option.

CURRENT POSITION OF BCP

KL stated that the BCP has been in suspended animation for 4-5 years so it would have to be reconvened. It is a company limited by guarantee. Its members appoint a board of Directors annually who are responsible for deciding how any money is spent.

LMCK advised that funding must be used for charitable purposes. All members can attend the AGM to hear finances report. BCP must communicate their processes to the community.

Asked what plans the BCP have for reconvening themselves, KL said the plan would be to publicise what is happening, assuming the lease goes ahead. Mail shot to all residents and information through Communicator advising where the BCP is now that they are reconvening. Call an AGM and invite all the community to become members.

KL indicated that he sits on the BCP Board as well as being a community councillor.

WN suggest the BCC look at how other Community Partnerships work. This was a pilot scheme for the NPA. The BCC should be supportive of this project.

The Chair closed the discussion with audience and the Councillors continued the discussion to decide how to respond to the NPA.

BCC DISCUSSION

The BCC and members of the audience welcomed this proposal.

However, some councillors indicated that, whilst this may be a worthwhile project, the current BCC membership had not been consulted by SC, they should have been and should have an opportunity to now.

Documentation to date is very limited therefore difficult to establish if we're getting the best deal for residents.

Income to SC was dependent on revenue once costs had been met.

AP read letter from N Paterson SC explaining that the NPA had ownership of the proposal and they were leading on all consultation events, supported by Officers from SC services. SC supports management and maintenance of the car park by the NPA as a demonstration of the partnership working, both with public sector agencies and the local community. Ms Paterson went on to say that she understood that once the initial agreement was granted by the Council some 3 weeks ago, the NPA have embarked on a programme of

consultation/discussion with local interested parties, including the community council at the earliest opportunity.

LB said that the BCC was a local interested party and we should ask for a meeting with SC to understand the information. Under the Community Empowerment Act we are now entitled to be consulted at early stages.

Historical consultation hasn't happened. KL advised that Joe Twaddle, former secretary of the BCC, had attended all BCP meetings and therefore the BCC was involved from the earliest stages. The view was expressed that the current BCC membership knew nothing about BCP meetings from the former Secretary.

POINTS RAISED ON NP DRAFT PROPOSAL

- The councillors and those present in the audience were appreciative of the proposal that the NPA would hand over 30% of the revenue collected to the community after costs had been paid, along with 100% of revenue raised from residents' annual passes for the length of the lease.
- Some councillors wished to have input into the lease and how the revenue is managed.
- Some councillors were concerned as to the mechanism for disbursing any income since the BCP is run by its Board of Directors and has no constitutional mechanism for consultation with its members other than at the AGM. Having one BCP meeting per year to discuss finances with the community was not considered to be enough.
- It was felt that more information was required on the scrutinising process of the BCP.
- The use of revenue for dealing with congestion problems is potentially good but how finance is allocated should be a community decision.
- It was noted that this proposal focuses on management of the Car Park. It will not, in itself directly reduce the traffic congestion in Balmaha.
- Concerns were raised that some details still needed clarification by the NPA.
- A councillor expressed a concern that, during their term of office, no consultation has taken place with the BCC regarding the car park. A councillor indicated that they wanted to have a meeting with Stirling Council regarding the car park.
- A councillor pointed out that BCC has yet to receive information from the NP covering past meetings that the NP has had regarding the car park and which the NPA had previously said is coming.
- Several councillors indicated that they would like to appoint an independent community councillor to represent the BCC at all BCP meetings.
- The BCC agreed to respond to the NP welcoming the proposed lease but asking that there be further discussion on the process for disbursing the funds.

The following motion was tabled –

That the BCC agree to respond to the NP welcoming the proposed lease but asking that there be further discussion on the process for disbursing the funds.

This motion was agreed by all councillors.

VACANT POSITIONS ON CC

DL proposed a motion to terminate SMF's membership in line with the rules of the "Model Scheme for the Establishment of Community Councils in Scotland" as he hadn't been able to attend any meetings since elected last October.

Proposed by DL Seconded by KL

It was agreed that the Chair would write immediately thanking him for his support at a time when the future of the BCC was in jeopardy and advising him that he had been demitted.

ACTION CHAIR

The BCC is now 2 Councillors down and agreed to start looking to fill these vacancies. LMCK advised that the BCC must set out a process for deciding who is appointed in the event that more than 2 people express an interest. We can suggest we would appreciate applicants from areas not yet represented who are prepared to share the work load.

Other Consultations on National Park Partnership Plan and Improving Parking in Scotland along with local congestion problems were deferred to the June meeting due to lack of time available to discuss them.

Next meeting 26 June 2017. Meeting closed at 10pm