

Draft Minutes

Buchanan Community Council Meeting Monday 4th September, Milton of Buchanan

1. Attendees L Buchanan, L Holl, A Peebles, A Lee, D Lee,

K Auld, Access and Outdoor Recreation Officer NPA, Tom Wallace, member of DCDT , D McCulloch, Drymen Paths Group, A Berrill, Councillor, W Nisbet, Ian Denvir Stirling Council Link Officer.

Apologies K Lilburn. Will Huckerby FC

2. Visitors welcomed – Kenny Auld (Assess and Outdoor Recreation Officer from National Park)

- Tom Wallace (former chair of Drymen Community Development Trust)
- David McCulloch (Drymen Paths Group)

3. AP informed meeting that Dave Morris (former Chair) has resigned from BCC. Thanked him for all the work he has done during his 4 year term of office. Asked for unanimous agreement to Minute this. Awaiting official confirmation from Stirling Council, after which we will be in a position to appoint a new Chair.

4. LH agreed to take notes/Minutes.

5. Expression of hope by AP that other members of the Community would step forward to join the BCC. Details of role on website and in latest Communicator. All agreed a closing date of 1st November for applications.

6. Reminder by AP that this is a meeting held in public not a public meeting.

7. Declarations of interest - none

8. Minute of last meeting

Proposed by Anne Lee 2nded by David Lee

9. Matters Arising Circulated by Secretary Appendix 1

- TT provided a lengthy response regarding workers accommodation. Appendix 2 Questions were asked about the tenancy of the 4 proposed key worker flats and whether we could expect more information on this in November. Also should the CC have a more prominent role in this arrangement? We have previously asked to put a CC member on the community panel, but were advised that this was not needed.

- Alcohol signage now in place.

- Traffic Management – Stirling Council has responded to our queries.

- Police attendance at BCC meetings – trying to resolve this. A representative will be sent to the RSWF meeting on 18th Sept in Balfron High School and this issue will have the highest priority on their agenda.

- Hall Committee update – no one available to attend BCC meeting
- Planning application for development of former WHW site – still on extant list today.
- KL 1. I have surveyed the first three miles of the Balmaha to Rowardennan Road
 2. I have made a start on the Resilience Plan
 3. I also had occasion to contact the council's traffic enforcement office one weekend when the road at Milarrochy Bay was more or less blocked, but was unable to reach anyone, which is totally unsatisfactory, so I think this needs to be raised with Stirling Council. All agreed to letter being sent.

ACTION AP

10. Local paths update

K Auld – Explained project to those present. Challenging project that they are working to complete. Their budget should be spent by June 2018. SC are happy with design; the intention is to make drivers slow down and appreciate village and to make walkers and cyclists feel safe. SC are working on next phase of designs that KA will show the BCC when ready. SC not happy with build-outs in Balmaha and will be revisiting. The Development Trust will work with landowners on the next Drymen to Balmaha phase. Open workshop was held in Hall to discuss the project. SC has final say. This design has been tried and tested and is working in other villages.

Community Member – expressed concern that foreigners do not necessarily understand how cycle lanes work in this country and this is a potential hazard.

AP asked if we could extend cycle lane further to avoid cars coming round the bend to find a cyclist crossing the road.

K Auld agreed that the tie in is not good enough atm and cycle lane can be extended. SC will put forward a proposal. Planning permission not required as long as design is agreed. Will take stock of criticisms.

LB – what about road safety for children?

K Auld – will try to get an officer out to the Primary School.

T Wallace – Gates on Gort Daraich should be locked. Is aware of gate not properly installed near Milton of B. Will start discussion regarding combination lock. DCDT will find out about fire engine/ambulance access since the system does not appear to be working.

11. D McCulloch DCDT – Wilkie's Path overgrown and other paths also need attention. Needs more volunteers to help clear paths. Put notice in Communicator.

12. T Wallace – new paths map made and 10,000 printed. Available in shops but not the Spar.

13. Memorial Hall communication strategy As per email in Communicator. No member of Hall Committee able to attend meeting.

14. Car park future revenue distribution

AL requested that this be discussed at next meeting since KL absent. All agreed.

15. Proposed car park charges

Free for 30 Minutes, 30 mins to 1hr £1, 1-2hrs £2, 12 hours £4, Annual non-residents pass £75

AP - AR Pass £30 not in keeping with FC charges. What charges will be made for visitors staying at Balmaha Lodges? Double yellow lines have improved congestion situation, but have reduced capacity by nearly 50%. What effect will this have on local businesses? Where is the overspill accommodated?

All agreed to discuss charges at next meeting.

16. Resilience plan - KL has made a start. Delayed till next meeting

17. Decision making between meetings

Discussed issues that have arisen in the past where decisions were made by Councillors between meetings. I Denvir advised that 14 days' notice is required for making a decision out-with a meeting and that the Chair can request dialogue.

18. Grant applications

LB – Connect Fund deadline closes in next few days and proposed seeking £660 for next Communicator.

AL & DL objected. Not happy with editorial process.

Proposal repeated. AP seconded. LH supported. Majority vote so application taken forward.

19. Discussion about an independent note taker.

Meeting stopped. 2 Councillors left

20. Treasurer's Report Appendix 3

LB sought permission to pay outstanding bills to Hall Committee for hall rental charges, DATA Protection Registration (ICO). Proposed LB, seconded AP, LH agreed. A Peebles for production of August Communicator. Proposed LB, seconded LH. I Denvir agreed.

Meeting Closed at 21.30

Date of next meeting 6th November

Appendix 1

Matters arising from June 2017 meeting circulated by BCC Secretary

1. Response from RSHA TT email 23/8/17. At our request TT provided a response which you have all seen. Key issue of Private Rental Tenancy (PRT), which comes into effect in December, is that someone will have the right to stay in a property indefinitely subject to complying with the terms of the tenancy agreement. A landlord will only be able to end a tenancy on one of the Grounds for repossession specified in the Private Housing (Tenancies) (Scotland) Act 2016. The Government has been wary in particular of, in effect, subsidising new tied accommodation what any business that falls out with an employee can take away the person's home. We have therefore been in discussion with ELLCT about the idea of it taking on the ownership of the 4 properties with funding support from either the Scottish Land Fund and /or Rural Housing Fund.
2. Alcohol signage – Now up
3. Traffic Management – This has been investigated by SC and a site meeting held between Sustrans, Kenny Auld and myself. Dotted white lines have been installed on the corners within Milton. The crossing point terminating against the wall below the church actually denotes the start of the part time 20mph section. This was not raised through the complaints procedure but by direct emails which were responded to.
4. Local Police Attendance – You will have seen the Police response in their latest email that they hope to resolve their non-attendance in the near future.
5. Hall Committee Communication Strategy. Once again the Hall Committee have been unable to accept our invitation to attend our meeting but have sent an email.
6. Planning 2016/0024/DET – This was finally approved in August. We have been advised that applicant has been advised to withdraw the retrospective planning application 2014/0238/DET which is now covered by the above planning application despite the fact that it was for a garage storage unit not a chalet and the new application was for a 3 bed unit not the two one bed units which are advertised on independent websites.
7. Illegal parking – Despite contacting a number of organisations no-one has been able to provide minutes for a meeting held in the Visitor's Centre. Enforcement within the car park at Balmaha will become the responsibility of the National Park once the lease has been signed. There appears to have been some confusion within SC as to when the lease became active and enforcement will fall to the NPA. Latest news from Ms Paterson is that the lease has still not been signed but will be back dated to 1st August. This might account for the congestion within the car park.
8. National Park Partnership Plan Consultation. DM to circulate the response.
9. AOCB – The Chair has written to both NPA and SC. See copy of his emails.

A P

3/9/17

R Davies has responded - I did ask for a site visit by roads dept. I am not sure if that happened but I did see from my travels through Milton of Buchanan of late that changes have been made to the road markings. In my view they have not improved matters but I am sure Councillor Berrill will be keen to hear your views.

G Lambie said - I've driven over them a few times and they do look confusing.

I've not received much correspondence on this and the views appear to be mixed, from strong opposition to observations that speeds have been reduced near the school.

Police report following transfer of **enforcement** to SC, problems have arisen. This has led to a number of issues at weekend in the area of Balmaha and the C6. PC Paul Barr, the National Parks Officer is in discussions with Stirling Council regarding the lack of activity on their behalf in relation to this matter. I believe the matter is still under discussion.

Stirling Council agreed commercial Heads of Terms on a lease of Balmaha Car Park to Loch Lomond and the Trossachs National Park Authority. The lease is currently being finalised and is likely to be backdated to 1st August, from when the Park Authority took on the main operational management of the site. N Paterson

Appendix 2

Email response from Tony Teasdale Wed 23/08,

Audrey

Thanks for your message and reminder of the Communicator deadline. I wasn't planning to provide an article for the Communicator – as you may be aware, our planning application is still being held up by ongoing discussions with SEPA regarding waste water issues although I am hopeful that we are now getting close to resolving that. As such there is not much new to report at this stage but hopefully for your next edition things will have moved on and either way we will provide an article if that would be helpful – please just let me know when the deadline for that edition is. You will understand that I would appreciate prior sight of anything about the proposed development that you are thinking of putting into the Communicator .

I am happy to try and expand on my earlier explanation regarding the security of tenure (or otherwise) that will apply to households allocated a tenancy in one of the 4 proposed key worker flats. My response on 26th June was to say: *"The answer to your question is no: it is not intended that someone living in the key worker homes will have to vacate their home if they lose their job. They will benefit from the security of tenure arrangements contained within the new Private Residential Tenancy that will be in force once the new homes are built."* You explained that the Community Councillors had not understood what I meant by this. You also reported that: *"The Councillors considered that key worker accommodation should be kept for key workers with the emphasis on workers."*

I suspect that some of your Councillors are aware of at least some of what I am about to write below, so apologies for any unnecessary detail but as previously indicated the issues are a bit complicated.

The current law relating to the private rented sector allows for private landlords (i.e. pretty much any individual or organisation letting property that isn't a housing association or local authority) to limit the period of time that someone can remain in a tenancy by granting what is called a Short Assured Tenancy. These are commonly for a period of 6 months and provide a great deal of flexibility for landlords to bring tenancies to an end. Conversely they also create great uncertainty for the households affected . The private rented sector has grown tremendously in recent years and the Scottish Government, following a review of how it operates, decided some-time ago to change the law and introduce a new *Private Residential Tenancy* (PRT) to replace the previous assured tenancy regime. This will come into effect in December. A key feature of the PRT is that someone will have the right to stay

in a property indefinitely subject to complying with the terms of the tenancy agreement. A landlord will only be able to end a tenancy on one of the Grounds for repossession specified in the Private Housing (Tenancies) (Scotland) Act 2016. You can read more about this yourself on the Scottish Government website at: <https://beta.gov.scot/policies/private-renting/>

In recent months we have been considering options for the delivery of the Key Worker flats. We have always been clear that to achieve the objective of being available to key workers at affordable rents there will be a need for some form of government subsidy. There is a real appetite within the Scottish Government to help support rural economic development and to remove the barriers to businesses caused by lack of housing availability for their workers. It has not been possible so far however to establish a mechanism through which that funding could go direct to businesses themselves and the Government has been wary in particular of, in effect, subsidising new tied accommodation where any business that falls out with an employee can take away the person's home. We have therefore been in discussion with East Loch Lomond Community Trust about the idea of it taking on the ownership of the 4 properties with funding support from either the Scottish Land Fund and/or the Rural Housing Fund. This would be on the explicit basis that the Trust would adopt a Housing Allocations Policy with the sole objective of letting tenancies to applicants identified as "key workers", working in a local business and needing a home to sustain that employment. They would be free to do so in a way that this Association, as a Registered Social Landlord, wouldn't.

For the reasons outlined above the properties would be let on the basis of the new Private Residential Tenancy and the occupants would enjoy the enhanced security of tenure as a result (albeit still not as strong as that enjoyed by housing association and Council tenants). This does create a possibility that a household occupying one of the flats will at some point cease to work for a local business. I have over the last couple of months explored in depth with various officials within the Scottish Government whether some bespoke arrangement could be entered into to address this possibility but it's clear that that is not the case and even if a legal mechanism could be found the Scottish Government would not be willing to provide grant funding on that basis.

This is something that we have discussed fully with the Community Trust. The general feeling has been that this is not a significant issue and that it is most likely that someone let a property on this basis who ends up leaving that business will end up at some point taking up employment with another local business or leaving the area. The Trust are keen to take forward the proposal and develop these homes as a community asset. They are receiving advice and support in this respect from the Highland Small Communities Housing Trust (which has supported numerous community bodies to develop similar projects) and also from ourselves. They are at a relatively early stage in exploring funding options but in due course will be publicising their plans to the wider community and seeking feedback.

I hope this answers your query more fully

All the best

Tony

Tony Teasdale
Chief Executive Officer

BCC Ordinary Meeting 4th Sept 17

Agenda Item 13: Treasurers Report Bank Statements

Since the last meeting in June, the CC has had no income and one cheque was cashed for £103.93 for Issue 13 of the Communicator.

The Current account stands at £835.29.

There has been no activity on the deposit account since last reported at £650.32.

Cheques to be written

Cheque 1 As per agreement in June, the web hosting was renewed in July at a cost of £53.98. (Cheque approved at meeting on 26/6/17).

Approval is sought to write the following cheques:

Cheque 2 The Buchanan Memorial Hall committee bill for £81 for room hire for the period June 16 - June 17.

Cheque 3 ICO Data Protection Registration, due 8th Oct, cost £35.

Cheque 4 Communicator Issue 15, cost £106.71.

Communicator fund summary: £322.97 in fund as at May 17th annual statement £106.65 paid for Issue 14 £103.93 paid for Issue 13 £112.39 still available to pay for issue 15

Grants

Proposal to apply to SC for Connect Fund for future editions of the Communicator – Allow £110 per issue.

Admin Grant not yet in account – check status with Stirling Council?

Minute Secretary Grant if this is a decision of the meeting under Agenda Item 10a.