

DRAFT Minutes
Buchanan Community Council Ordinary Meeting
Monday 14th May 2018

Recording of membership present and apologies received

Attendees: A Peebles AP, L Holl LH, K Lilburn KL BCC Councillors
I Denvir (ID), M Fitzpatrick, G Hutton, L Hepburn all members of Stirling Council
W Nisbet National Park representative
11 Members of the Community

Apologies

L Buchanan

Gordon Watson, CEO LLTNP, Stuart Mearns, Emma Yendell and Kenny Auld all of LLTNP.
Tom Wallace DCDT failed to give confirmed response to invitation to attend.

Declarations of interest. None

Presentation of September Minutes for approval. Written by LH

Prop AP 2nder LH

Email from ID 26th March - Have spoken to colleagues who advised under the circumstances LH and yourself (AP) could 1st and 2nd the minutes from the last meeting [If LB not present] or wait until the May meeting.

Presentation of March Minutes for approval. Written by AP

Prop KL 2nder LH

Matters Arising

Response to waste services complaint. Agenda Item today

KL – Had not provided letter to SC on condition of the C6.

ID requested some information included in the draft Minutes was removed. Councillors agreed.

Secretary's Report. As per AGM

Correspondence

Update on the NP lease of the Balmaha Car Park available in the Communicator.

Councillors' comments on the proposed draft changes to the governing documents.
Individual responses completed.

Waste services response

Mr Carruth – CEO, Stirling Council has requested that SC Localities and Infrastructure Service look into the possibility of changing waste collection days in Buchanan.

Application 2018/0071/DET Jane Tennant NP requested we bring forward our meeting regarding this Application. Advised this wasn't possible and would she confirm they will delay their decision by a week. She agreed to a delay of 3 days only.

“Further to your email and a discussion with my manager it has been agreed to accommodate comments, and for them to be submitted by the start of business on the 18th May.”

Jane Tennant Development Management – Planning Assistant

In response to our letter asking what help they could offer us regarding parking problems in Balmaha Stephen Kerr MP has responded saying he is writing to both the Council CEO and the National Park regarding the need to address the issues with parking, the car park and the need for a proper, joint strategy for the area. There is also the question of having enforcement available seven days a week, especially during the visitor season.

Bruce Crawford MSP is arranging a site meeting.

Treasurer’s Report

2017-18 accounts have been audited by J MacKay, Chartered Accountant and were presented at the AGM.

Treasurer proposed:

The BCC send J MacKay (who has declined payment for her professional auditing of our accounts for the last 2 years) a cheque for £100 to disburse to any local community groups with which she is involved.

Proposed LB 2nded KL

Treasurer asked for approval to pay Buchanan Hall Committee £65 for 2017/18 Hall hire.

Proposed KL 2nded LH

Treasurer asked for approval to pay the Buchanan Secretary £106.36 for the printing costs of the Communicator.

Proposed LB 2nded KL

Once these cheques have been cashed the BCC will have £881.27 remaining between the Deposit and Current Accounts.

The Treasurer proposed we transfer all money into the current account, write a cheque to Stirling Council for our remaining funds and close the account.

Due to problems opening accounts it was agreed that we wouldn’t close the account but all cheque books and paying in books would be forwarded to Stirling Council to hold until the new CC is appointed.

We would check with SC Governance Office prior to sending to confirm their agreement.

ACTION ID

Waste Services Update

Gavin Hutton, Service Manager, Business Improvement & Compliance and Lindsey Hepburn attended to discuss fully not only our concerns regarding the Waste Services, but more importantly the remedial solutions to ensure a consistently high standard of service is deliverable going forward.

Mr Hutton (GH) stated he had only been covering the Waste Services for the last eight weeks.

GH apologised unreservedly on behalf of Stirling Council for the standard of service BCC residents have been receiving. They fully acknowledge that it is not commensurate with the standard they expect to deliver.

In the near future new grey and brown bins and appropriate bin lorries will be rolled out across the area. The new bin lorries will be able to pick up two different coloured bins at one time thus reducing the number of lorries required on the road on any one route. BCC is not currently part of the main route but there are plans evolving to remedy this. In places there are access problems. GH said that he hoped our area will be assessed by a representative from Stirling Council shortly and there after a leaflet drop and if necessary discussions with individual residents will take place to resolve any further issues. Where bins are to be moved to a road end, to prevent a large number of bins potentially obstructing the road, larger communal bins may be provided. This would necessitate residents taking bin bags down to the road end. Some concern was raised by residents regarding this option.

Where residents are having problems with bin collections not happening and bins overflowing GH recommended that they phone Stirling Council Contact Centre to ask for larger bins.

GH acknowledged the complaint from residents that collections has been unreliable. One resident considered that only 30% of the bins were picked up correctly, 40% were picked up several days late and 30% were not collected at all.

GH suggested that locks could be provided for bins left on the roadside to prevent tourists using them incorrectly. This would necessitate the locks being removed by residents on collection days. Concern was raised that this might not help if the bins were not collected on the relevant day leaving bins unlocked for several days.

Review of bin collection service which should have taken place last autumn will not take place until the new bin rollout has taken place and on a date yet to be confirmed.

A request was made that the Buchanan CC were notified when this review would take place as they had already notified the Waste Services Manager both immediately after the new service was put in place and more recently that the waste collection service on a Sunday in our area was impractical due to the high tourist numbers.

It was also pointed out that it was not unheard-of that a gridlock could occur on the C6 potentially restricting access or egress for the bin lorries.

No definitive answer was given as to why collections were so irregular.

S Fraser said there was a good service for his business.

L Hepburn took contact details of some residents to help deal with specific issues.

Chair thanked G H and L Hepburn for taking the time to attend the meeting and giving the residents an update on the current situation

Parking Problems Balmaha – Stuart Mearns and Ms Yelland from the NP unable to accept invitation to attend and failed to answer questions on:

Their role in controlling the number of tourists arriving in Balmaha and beyond.

What plans the NP has for controlling parking within the car park once they sign the lease to take over the management

In response to our invitation to attend tonight Gordon Watson had responded:

I understand that Emma has given you a full update on the position and our proposals continue to be still under preparation, I would therefore not be able to provide further information than this at the Community Council meeting.

We are however fully committed to engaging with the new Community Council when it is elected in October which is also when we would expect to have fuller proposals for consultation.

Mark Fitzpatrick, Safer Communities Supervisor SC, attended to update us on Enforcement Officers role.

Mark Fitzpatrick (MF) introduced himself and explained that his role covers:

Parking, dog fouling/dog warden, Fly tipping, noise, antisocial behaviour, dumped cars, estate patrols, CCTV, pest control, removal of needles and asbestos. The latter two are a high priority.

There are currently ten enforcement officers for Stirlingshire. Six are on a dayshift Monday to Friday, five cover Saturday.

Currently there is no provision for cover on Sundays or bank holidays. (Days which we have raised as a high priority in Balmaha).

They have recently recruited 4 more enforcement officers to potentially provide 24/7 cover. MF is responsible for assessing the needs of each area and allocating staff. Staff numbers versus area results in a thin spread of cover. Currently he is reactive rather than proactive to a lot of the scenarios.

Training doesn't cover access for Emergency Vehicles.

His staff can ticket vehicles parked over yellow lines.

There is currently no legislation regarding parking on pavements within Scotland. Although police can enforce in some areas.

Enforcement officers can only work within a traffic order area. (He supplied us with copies of the local area covered by traffic orders which includes areas with double yellow lines and the clearway.)

Currently, while Stirling Council manage the Balmaha car park, cars parked in the coaches only section can be ticketed by his staff. He was unable to advise us what will happen when the National Park take over the lease.

(The BCC had provided him with a copy of the latest police report regarding the situation in Balmaha on the May bank holiday which they described as "in utter chaos".)

Cars parking in the clearway can also be ticketed.

Concerns were raised by residents about the decriminalisation of parking which currently was considered to be hopeless. It was felt that when police patrolled the area regularly there were fewer problems.

It was agreed:

More parking spaces were required and fewer cars

Signs in passing places to educate the tourists.

Previous protocol at the National Park re early warning signs appears to be no longer active
Consistent enforcement was critical.

Stopping cars once they had already turned onto the B837 was ludicrous as vehicles were unable to turn round.

The local bus service must retain access to Balmaha at all times including being able to turn round in the Balmaha car park.

Possible solutions:

Extend the double yellow lines in Balmaha. Concern that this would just push the parking further out along the B837.

A local person was empowered to work as a traffic warden.

Identification of more parking areas.

An ANPR camera was used instead of a person in order that tickets/fines could be issued to

illegally parked vehicles. This might discourage tourist from visiting and affect local businesses but control the numbers within Balmaha.

Electronic signs introduced in Drymen at the start of the B837 advising visitors of lack of parking availability in Balmaha and beyond.

It was acknowledged that any solution should be available to be implemented 365 days of the year although it might only be required on sunny days throughout the year, weekends and bank holidays.

It was agreed that we would write to Stirling Council and National Park CEOs raising our concerns yet again regarding the parking problem in Balmaha and requesting them to work with the Police, local Councillors and other relevant bodies to produce a joint strategy and action plan to reduce the effects of conflict between tourist access and limited parking facilities as a matter of high priority.

ACTION AP

Police Road Safety Section of Police Service of Scotland Community Council Report - Annex 1

This was read out in full by the Chair and is available to view on the BCC website and in the Annex. They referred in some detail to the “utter chaos” experienced in Balmaha on Monday 7th May (Bank Holiday) and their inability to cope with the problems of “over 100 cars more than there are parking spaces “dumped” in and around Balmaha car park (including on double yellow lines) and a further 100 cars at least parked on or straddling double yellow lines in Balmaha alone.”

Planning Application 2018/0071/DET

W Nisbet left the meeting due to a Conflict of Interest.

Tom Wallace (TW) failed to attend. Kenny Auld had advised he was unable to attend.

TW had previously provided A3 copies of the plans which were available for attendees to study.

The Councillors have already registered Health and Safety concerns on this application with the NP and requested they delay their decision making process to accommodate our response from tonight. Any response is required by first thing Friday morning 18th May.

Due to the absence of TW we were unable to ask any questions on this planning application.

Comments:

Cyclists are still using the main road from Drymen to Balmaha and not going through the Buchanan Castle Estate though there is an increase in cycle traffic through the estate as well.

Why didn't the Drymen Community Development Trust (DCDT) design a cycle path which went through the woods and came into Balmaha through the back of the car park? – This was raised on a previous occasion with TW who advised that the cost was prohibitive. It was acknowledged that having delivered the cycle path as far as Milton of Buchanan it was difficult to say no to this last section.

It was also acknowledged that the DCDT had yet again failed to consult with the BCC and we only found out about the current plan once it appeared on the NP Planning website.

Concerns were raised regarding how the end section (Section A) on the plans would work taking into consideration the current parking problems in this area.

Proposal: That the BCC, as statutory consultee, would write to the NP Planning Authority in response to this planning applications requesting that this application is put on hold.

ALL AGREED

It was also agreed that the BCC Secretary would give reasons in her response.

ACTION AP

AOCB

Lack of time precluded discussion on the following:

Milton tie-ins (Cycle path upgrades in MoB following past discussions with KA and TW). KA and TW to be notified that they must come back to the BCC prior to submitting the planning application to allow for them to be consulted.

Planning – Planning lists on the CC website.

Forestry Commission Report – None received

Resilience Plan – KL to provide update.

Questions from the floor.

Chairperson thanked those attending and reminded them this would be the last Community Council meeting until a new Council was appointed in October/November 2018

Meeting closed at 21.50.

**Annex 1. Road Safety Section, Police Service of Scotland Community Council Report
Received by email 12/5/18 from PC S Craigie**

Following the transfer of parking enforcement from Police Scotland to Stirling Council the police cannot issue parking tickets, although vehicles causing an obstruction can still be removed by police. Parking enforcement is now carried out by Parking Enforcement Officers who are employed by Stirling Council.

I have been asked to clarify the following:

The white line at the side of the road denotes the edge of the road.

Parking on or straddling a double yellow line is an offence and is dealt with by Stirling Council Parking Enforcement Officers – the police no longer have the legislative powers to deal with this.

Parking on the verge (over the other side of the white line) is in certain circumstances an offence which can be dealt with by the police by means of a fixed penalty.

Parking in a dangerous position or causing an obstruction is a matter that can be dealt with by police, with the vehicle being uplifted and the driver issued with a fixed penalty sign.

In relation to the recent Bank Holiday, Constable Paul Barr, who is the Police parks liaison officer and I spent the whole afternoon at Balmaha, which we had to eventually close as the place was full and in utter chaos. In the end this tied up 4 police officers and a number of Park Rangers. The Park Rangers had called for the assistance of Stirling Council Wardens earlier in the day without success.

When we arrived there were about 100 cars more than there are parking spaces 'dumped' in and around Balmaha Car Park (including on double yellow lines) and a further 100 cars at least parked on or straddling double yellow lines in Balmaha alone. The problem was so bad, we could not actually deal with the removal of cars that could be deemed to be causing an obstruction and giving out fixed penalties for dangerous parking or similar was just not practicable or even possible, such was the congestion and traffic volume we were faced with.

Discussions have been taking place between the National Park and the Council regarding the ongoing situation at Balmaha and Rowardennan. As the weekend all too clearly showed these talks have not borne any fruit. I have already been in contact with Stirling Council to enquire why their wardens did not attend and have been told they don't work Bank Holidays and they are extremely understaffed. They have advised that an interview process was undertaken in the past week to try and resolve the reduced staffing levels they are presently experiencing.

The police Council Liaison Officer has been asked to organise a meeting with Stirling Council regarding the ongoing parking issues at Balmaha and Rowardennan. He has been asked to ensure that the council attend with people who can make the required decisions and also the people who will be responsible for implementing them. Paul is going to do the same in regard to the National Park. This is to ensure the meeting will be more than a 'talking shop' and actually achieve something.

I have not heard directly from Stirling Council, but Paul has advised me that the National Park want the meeting before the next bank holiday so that a solution is in place before then.

I am now annual leave until the 28th of this month so Paul is going to take the lead on this. I believe that the issues can only be resolved by Stirling Council, the Police and The National Park working together. I believe that if all parties actively work together there is no reason a suitable solution cannot be found.

I will keep you up to date with how these discussions develop.