



MINUTES OF THE MEETING OF THE COMMUNITY COUNCIL HELD ON
MONDAY 8th August 2016 IN DALGETY PARISH CHURCH HALLS

1 ATTENDANCE LIST APOLOGIES and DECLARATIONS of INTEREST

Community Council

W Allan (acting Vice-Chair and Treasurer), R Green (Secretary), J McFarlane, G Walker, K Leslie

Fife Councillors - L Laird, D Dempsey, A McGarry

DIO - S Ritchie

SEPA – Dr P Dale

Police Scotland – PC Richard Duncan

Members of the public

20

Apologies

P Franklin, Cllr G Yates

Declarations of Interest

G Walker in connection with Grant Construction

2 DISCUSSION wrt recent Gypsy Travellers at St David's

The Chair asked Cllr Laird to open the discussion with a summary of the situation from Fife Council's viewpoint. Cllr Laird told how the situation had been handled and the difficulty in determining who owned the land the Gypsy Travellers had camped on. The agents for the adjacent housing Hacking and Paterson were approached and they agreed to do the search at their expense. The outcome is still unclear and needs further investigation. Cllr Laird stressed that there is significant legislation on what can and cannot be done in situations of Gypsy Travellers setting up camp. There are many examples across the country but this instance was made more complex by the lack of knowledge concerning the ownership of the land because any court order to enforce an eviction has to come from the land owner.

Cllr Laird then handed over to PC Duncan to explain what the police can do in the law in these situations. PC Duncan explained that the police are powerless to carry out an eviction until a court order is in place and as far as legal infringements are concerned they can deal only with specific issues.

The residents of St David's who attended the meeting were then given the opportunity to ask questions as follows.

Q – Can the police take action if a vehicle is not taxed.

A – This was not made aware to the police. It's also not a policy to search out untaxed vehicles.

Q - Why can't they be taken to task for littering. It took Fife Council two hours to clean up after their departure.

A – There was no report of a specific person littering.

Q – How many calls did the police receive about disturbances.

A – Police Scotland received 16 calls about the setting up camp and 5 calls about loud music. Earliest was 10:30 am and the latest was at 7:55pm.

Q – Was there a charge with reference to the domestic dispute and the person banging on a resident's window.

A – No charge was made.

Q – What is the ownership situation in case there is a repeat visit.

A – Cllr Laird stated that the land was originally owned by a company called James Harrison but it was transferred to Crayvale Properties Ltd. The car park is owned by Fife Council.

Q – If access to the grassed area was denied by boulders and the travellers camped on the car park, how long would it take to move them.

A – Cllr Laird couldn't give a definite answer to this because of the need to observe non harassment guidelines.

Q – Would Fife Council be supportive of barriers being put in place.

A – Cllr McGarry pointed out that there are access issues wrt Scottish Water.

Q – If the residents build a fence would Fife Council force them to remove it.

A – Cllr Laird stressed that there needs to be a meeting with all stake holders to decide on a solution. The advice is that residents need to engage with the agent Hacking and Paterson and then engage with owner with a view to achieving a solution.

3 POLICE REPORT

Report provided by PC James Bell.

POLICING PRIORITIES

Tackling violent crime and anti-social behaviour and improving road safety are some of the priorities outlined in the Annual Policing Plan.

- Violence, Disorder and Antisocial Behaviour
- Serious Organised Crime
- Road Safety and speeding
- Protecting people at risk of harm
- Counter Terrorism

CALLS AND CRIMES REPORTED

Between 1st July and 8th August 2016, a total of 168 calls were recorded by Police Scotland relating to the Dalgety Bay area.

During the same period 7 Crime files were created, of which 3 have been detected with persons being charged. Enquiries are ongoing to trace the persons responsible for the remaining crimes. The crimes recorded during this period have all been either vandalisms or threatening and abusive behaviour.

NOTABLE CRIMES / DETECTIONS / INCIDENTS

- Gypsy Travellers, Harbour Place - police received 24 calls from members of the public/local residents between 27/08/16 and 01/08/16 regarding the encampment on the grass to the east of the shorefront Harbour Place car park. The majority of calls to police were either requests to evict the travellers or highlighting noise or

rubbish issues (the issue with the travellers will have been discussed at length prior to this report).

- Continuation of the "Rusty" graffiti artist. Several new cases have appeared on the underpass at Moray Way North, along with several other locations. Enquiries and new appeals for information have been released and efforts to trace "Rusty" are still very much a priority.

INITIATIVES

- Road safety campaign - local community officers Jim Bell and Richard Duncan will be carrying out a daily road safety campaign in the local area, whereby a daily speed gun deployment will be carried out, together with a wider educational initiative in local schools.
- Continued high-visibility patrols around the Dalgety Bay area to deter and tackle anti-social behaviour encountered.
- With the start of the new school term fast approaching, community officers will be striving to visit both Donibristle and Dalgety Bay primary schools to deliver messages on road safety, online safety and anti-social behaviour.

CONTACT DETAILS

Inspector James Davenport	James.davenport@scotland.pnn.police.uk	01383 318911
Sergeant Gordon Hood	Gordon.hood@scotland.pnn.police.uk	01383 318920
PC Jim Bell	James.bell2@scotland.pnn.police.uk	101
PC Richard Duncan	Richard.duncan@scotland.pnn.police.uk	101

if you require an officer to attend a meeting to discuss a specific issue please do not hesitate to contact us

CEM

Next CEM to be advised.

4 FORESHORE RADIATION

SEPA reported that they continue to monitor and review DIO's plans.

DIO reported that there is now full access agreement with DBSC, partial agreement with Moray Estates and one other – James Harrison.

DIO will go out to tender for the work next week and take the following month to conduct tender evaluations. October should see the start of exploratory work on site resulting in a fully populated programme by Christmas 2016. Next week there is a meeting at DBSC to discuss the finish of the work. A reply to the screening application is expected on 15th August allowing the Environmental Impact Assessment to be written and completed also by Christmas.

K Whitfield asked what work will be done and DIO's S Ritchie explained that the slips would be removed, the strength of the ground assessed, a membrane laid down to seal the affected area before finishing with new slips and rock armour.

5 APPROVAL OF MINUTES OF THE SPECIAL 25th JULY MEETING

The Chair explained the reason for this meeting in relation to the Diary and introduced Ian Chisnal of Printing Services Scotland who had made a proposal to the CC to

rejuvenate the Diary. PSS has been printing the Diary for over 20 years and do not want to see its demise. He has offered to take on the management of the advertising, edit, print and deliver the Diary to Dalgety Bay households. Content would still be provided and approved by the CC. Ian told the meeting it was an interim measure and would be happy to hand back to the CC the responsibility for income sourcing if and when the Diary becomes profitable again. The new Diary will be in colour and on glossy paper.

These minutes still have to be proposed as a true record and seconded.

Action – Secretary

6 APPROVAL OF MINUTES OF THE JUNE MEETING / ACTIONS ARISING

The minutes were proposed to be a true record by G Walker and seconded by K Leslie.

ACTIONS ARISING

6) Ref community orchard / wildflower meadow in the absence of further communication with G Walker the vice–chair agreed to contact Peter Collins. The Chair deferred this to later in the meeting - see Para 9 – Complaint from Peter Collins

Action Complete

10) The secretary agreed to contact Newburgh community for advice about its community trust purchase of a local reservoir.

This has not been completed and the secretary requested the contact info.

Action – Secretary

10) Robbie’s Path - G Walker agreed to scrutinise the whin dust option of the quotation further and speak to the contractor. The secretary reported that following G Walker’s assessment the order has been placed and work is planned to commence week starting 15th August.

Action Complete

5) 2 Boulders on footpath at junction of Fulmar Way and Ferris Way - Cllr Laird to report on progress in getting them moved.

Cllr Laird reported that the owner does not intend to move them as they are to discourage travellers setting up camp on his land.

Action Complete

5 Public Forum

Bluebell Wood overhanging branches - Cllr Dempsey agreed to look into the safety aspect and arrange an inspection visit.

Cllr reported the house owner had arranged to have branches cut off.

Action Complete

Cllr Laird to report on progress for a town wide Woodland Management Plan that has been under discussion for the past 3 months.

Cllr Laird reported that this report is due to be completed in August, submitted for review in September and hopes it will be available to the CC for the October meeting.

6 Correspondence

Woodland Survey funding – The secretary is to suggest to DBCWG to apply for a Muir Dean Trust grant for part or all of the cost of the survey.

The secretary agreed to check if Dalgety Bay is eligible for a Shell Community Grant for its share.

The secretary reported that DBCWG had submitted a grant request for 50% of the cost and he had submitted a grant application to Shell for 50%.

Actions Complete

Approval of the minutes of the AGM is deferred until the September meeting to allow the Chair to circulate the new and amended constitution following comments from Fife Council.

Action – Chair

7 PUBLIC FORUM

No additional topics.

8 STATUS of CC MEMBERSHIP

The secretary reported that five people had come forward to serve on the Community Council. The Chair stated that résumés of all five had been reviewed and he proposed that they are welcomed onto the CC.

They are:

Kirsty Whitfield

Jean Hutchison

Andy Barratt

Shirley Iveson

John Wootton

The secretary took the action to pass this information on to Fife Council.

Action – Secretary

9 CORRESPONDENCE

COMPLAINT FROM PETER COLLINS

The Chair reported that he had received a complaint from Peter Collins about George Walker. Mr Walker left the room while it was discussed.

Following the exchange of communication between George Walker and Peter Collins regarding the condition of the wildflower meadow in Longhill Park, on 23rd June Mr Collins submitted a formal complaint against Mr Walker concerning the tone of his communication and statements made therein, which Mr Collins maintains is evidence that Mr Walker is unfit to be a Community Councillor.

Following failure to achieve resolution of this matter the Chair carried out an investigation of the complaint under Schedule 4 of the Scheme for the Establishment of Community Councils in Fife and circulated a report for discussion at the August CC meeting.

In he stated in carrying out the investigation it proved impossible to consider the complaint in isolation from the context within which the communication occurred, in which there were 3 key issues:

1. What was agreed regarding this project.

2. Who was perceived to have "ownership" and control over management of the project.
3. Resolution of what may be considered as subjective opinions on the appearance of the area.

The report attempts to resolve these issues in the context of assessing the validity of Mr Collins' complaint against Mr Walker. The Chair's remit in conducting this investigation was to prepare a report to the CC as the basis for discussion for a response to Mr Collins and it is a matter for the CC to determine the extent to which the comments and conclusions are valid.

Throughout this investigation the Chair stated that he had made every effort to look at all the information fairly and objectively and his report text contains no intentional unwritten insinuations within its comments and observations. In particular, he did not seek to question Mr Collins' altruistic intentions and efforts in undertaking this project but simply to look at the end result against community expectations at commencement of the project.

There was unanimous agreement within the CC with the Chair's report and its conclusion. Chair to notify P Collins of this decision.

Action – Chair

EDINBURGH AIRPORT CONSULTATION

The secretary reported that because of the lack of information in the content of the supporting explanatory document for the flight path consultation and in light of the feedback form simply asking for comments he proposed that the CC's response should be that the residents of Dalgety Bay and Hillend do not want any flights to be at a lower altitude over the area.

Cllr Laird suggested it might be appropriate to join up with other groups and submit a joint set of comments. K Whitfield offered to take this on and contact other CCs in the area. Cllr Laird will provide contact details.

Action – Cllr Laird and K Whitfield

FULMAR WAY - MUIR HOMES APPLICATION

The secretary briefly explained that this was for the same development as before but now with the access from Fulmar Way. The CC had commented on this other version stating in principle it wasn't against the development but objected to the access through Bouprie Rise and Otterston Grove. The secretary had received an email from Grant Construction summarising its objections and in particular "The most recent planning proposal submitted by Muirs, details an access from Fulmar Way (part of the Industrial Estate) but also proposing an HGV road restriction, which would make it impossible for us to access our own yard and cause Dyce huge problems." and saying "Any support you are able to give us will be most welcome."

The secretary will submit CC comments based on the fact the land is on an industrial estate, comments from Grant Construction and the potential of any conflict affecting jobs.

Action – Secretary

DBCWG HERITAGE VIEWPOINT PROJECT

The secretary summarised the request received from the DBCWG for approval of its plans to create a heritage view point rest area on the Coastal Path at the rear of 13-17 Lumsdaine Drive. The Chair felt due to time constraints caused by the GT situation discussion this could not be given full consideration at this meeting and suggested the

CC needs more time to consider this with its new members. There was concern that this might create a meeting point that could be misused.

Action – Chair and Secretary

REQUEST TO FORM ADDITIONAL FLOWER BEDS IN JUBILEE PARK

This cannot be fully addressed until Jubilee Park ownership is handed over to Fife Council.

OVERHANGING TREES STEEPLE CRESCENT

There has been no progress made on this. The town wide tree report is due for publication in September and the assumption is it will be available at our October meeting.

FARMERS' MARKET

The secretary has received a request from DBHS for traders to be allowed to park their vehicles on the grass.

It was unanimously agreed that this should not be allowed because of the unsuitability for vehicle and in particular the new path surface due to be completed next week will not stand up to vehicles being driven on it.

Action – Secretary

The Chair proposes to pitch the CC gazebo and make new Diaries available at the market. Volunteers needed to assist.

Action – All CC members

10 SUBCOMMITTEE REPORTS

COMMUNICATIONS SC

The Chair made reference to the success of the CC's Facebook page and how it had shown its strength when communicating information about updates to the Gypsy Traveller situation at St David's.

ENVIRONMENT

Beautiful Fife judging took place last month and was hosted by Mike Gourley of DBHS. Appreciation was voiced for the work not being carried out by contractors.

FINANCE

The treasurer summarised his report for the month that he had distributed earlier.

11 COUNCILLORS' REPORTS

Cllr Mc Garry reported that the Prattis planning application had been rejected on the grounds of the retail outlet content being inappropriate to the industrial estate.

Cllr Dempsey reported

1. That the closing of the walkway adjacent to the site of the demolished Havelock building was legitimate.

2. The search for woodland ownership details continues. The secretary agreed to make available to him historic documents that have some limited details related to this.

Action – Secretary

DALGETY BAY COMMUNITY COUNCIL – NEWS ROUND-UP: AUGUST 2016



Councillor Lesley Laird



Councillor Gavin Yates

FIFE COUNCIL - ROUND UP

Transportation issues remain high on the council's agenda – A92/Levenmouth Rail Link and other strategic projects – meeting with the new Minister in September

Tullis Russell & Longannet Task Force – ongoing

Longannet – Community Groups meeting earlier this month and a meeting with the Minister set for later this month to discuss next steps and our request for funding

Planning Review output published – now await scope of what will be proposed in new legislation

Campaign underway in respect of train fares for Fife commuters – paying more per rail mile than other parts of Scotland – meetings ongoing with Transport Scotland and Abellio and will be raised with Transport Minister

Concerns around the roll out of Broadband and also mobile coverage in Fife – briefing for elected members this month – response will help inform feed back to the Minister

Meeting with the Minister this week regarding the changes to business rates – concerns from businesses being raised across Fife

WARD 6 NEWS

Fraser Avenue Regeneration – First phase of demolition on target for September

Planning concerns continue to be raised across the ward – FIFEplan is under examination and expected to be concluded by late August/early September

Inverkeithing Town Centre event held – funding applications being prepared

DALGETY BAY

Significant concerns regarding the recent visit by Travellers. Further follow up action still required by Residents in relation to determining land ownership and what steps can be taken to prevent any future occupation.

Summer of fun and Quid A Kid has been well utilised at the local sports centre and also a very positive take up of the sports offerings at the Wing in Inverkeithing.

Tree survey work is underway and will be concluded in the next few weeks – report expected in September

LOOK AHEAD

Ward Meeting 12 August / SW Area Committee 17 Aug

12 ANY OTHER BUSINESS

The Chair raised an issue passed on to him by P Franklin concerning potential changes to the way the recycling centre was to be run. Cllr Laird made assurances that this was not the case but restrictions were being placed on contractors coming in from outside the area.

Due to time constraints there was insufficient time to discuss the following items. The secretary will circulate them for review.

- a) NHS Fife has notified the CC about the Pharmacy application and has requested a nominated person to represent the CC and potentially make an oral presentation at a Pharmacy Practices Committee (PPC) meeting.
- b) The Chair of DBCWG has issued its 6 monthly report to the CC as required by its constitution.
- c) An invitation to Scottish Water's Annual Consultative meeting on 30th August.

These minutes were proposed to be a true record by G Walker and this was seconded by K Leslie at the 12th September 2016 meeting of the Community Council.