

INVERKIP AND WEMYSS BAY COMMUNITY **COUNCIL**

Minutes of Business Meeting held on Thursday 2nd August 2007 - 7.30pm at the Inverkip Hotel

Present: Innes Nelson; Hugh Ritchie; Ron Potter and Lynne Chambers

Apologies: Brian McArthur; Harold McPherson and Liz Roders

In Attendance: Cllr Ken Ferguson; Fraser Williamson, Inverclyde Council's Head of Planning and Transportation; Sgt Campbell Crawford; WPC Jane Perratt; PC Billy Gray; Brian Blacklaw; D. Crammar; N. Cupples; Cliff Lyons and Jim McIntosh

3. Police Matters:

Sgt Campbell Crawford introduced himself as part of the policing team covering Inverclyde West and based at Gourock Police Station. Inspector Charlie Paul, himself and 16 officers cover the area and in future the Inspector or Sgt Crawford will attend Community Council meetings. To get in touch with Gourock Police Station the number is 637245 via the call centre or directly to Gourock on 492801 – the office is staffed from 0700 to 2300 seven days a week.

The issue of the Milne subcontractors blocking the road at Station Road/Finnockbog Road with site accommodation huts on the back of a low loader and the exchanges between police and villagers was raised again. Lynne Chambers expressed surprise local community officers are not informed of the movement of such loads and Ron Potter confirmed the local transport section of Strathclyde Police had not been informed of the load. Sgt Crawford said as far as he knew there was no obligation for the contractors to let police know. Jim McIntosh and Cliff Lyons said the contractors were just doing exactly what they wanted. Hugh Ritchie asked who should have policed the situation and Sgt Crawford said it was up to the police if there was a problem. Cliff Lyons said he'd taken pictures of the incident and taken them to Greenock Police Station. He was given an incident number but to Sgt Crawford's question confirmed no-one from the police had been in touch with him further. Cliff Lyons said Alan Swinton of Inverclyde Council had said on that morning the contractors had no permission to enter the site that way. Ron Potter said the pictures in the Greenock Telegraph of the blocked road were self explanatory and said considerable disruption has been caused in Inverkip. If there was time for Telegraph reporters to be there, there had been time for the police to be there to sort out the problem, rather than harass villagers. Cliff Lyons said Finnockbog Road should not have been used for access as it was too narrow and dangerous and the contractors had used the road to access the site with equipment when they should have used Spey Road. He had specifically asked Alan Swinton on the morning of the incident if the contractor had permission to access the site this way and had been told 'no'. Sgt Crawford asked what now. Cliff Lyons said it was now a matter for Inverclyde Council not the police. Innes Nelson said there were two issues here – the second being moving heavy plant along the pedestrianised area of Finnockbog Road, breaking regulations. Sgt Crawford said he would have to have a look at the plans and would get back to the Community Council.

Cliff Lyons said a fortnight ago a neighbour had reported to him there was a young girl on the ground in front of Marine Court, Inverkip, who appeared to be under the influence of alcohol. He phoned the police, who attended. He asked what was being done about underage drinking. It was observed under age drinkers disguise alcohol in soft drink bottles, but officers carried strips which could be inserted into the bottles and would change colour if alcohol was present.

A member of the public asked Sgt Crawford what liaison there was between the local police force and British Transport Police. Sgt Crawford said information was exchanged when there appeared to be a common interest. If, for example, there was an incident by a railway line, in the first instance probably local police would investigate and pass the information to BTP. Local police are usually the first point of contact.

Sgt Crawford gave the following information about crimes and offences in July. There had been 18 crimes and offences, with 8 detected, including littering; Breach of the Peace; drinking in public; fireraising and a serious assault, 7 connected with Wemyss Bay Caravan Park. There had been 116 calls from the public, 17 complaints and 12 disturbances. Also 3 forged £20 notes – excellent forgeries according to the officers, not detected even by new equipment – have been passed at Inverkip Post Office. There had been reports of attempted housebreakings at Hill Farm with an individual seen trying doors. It was stressed if at the back of the house keep the front door locked. WPC Perratt was asked again about parking on pavements. She said it was a real problem. Those parking on the pavements were all local residents, and if they didn't park there, the buses couldn't get along Main Street, Inverkip. Where else were they to go? However, for those parking on the zigzags on Main Street – the warnings were over and offenders would be charged.

The officers were thanked for their attendance.

4. Minutes of Business Meeting held on the 5th of July 2007:

Page 3, Item 3 – Police matters – Stewart Milne site –

The secretary had been asked to write to Head of Planning and Transportation Fraser Williamson to inquire whether a detailed public access plan had been submitted to him by Stewart Milne Homes in advance of work starting, as recommended at Inverclyde Council's Planning and Traffic Management committee meeting of 6th December 2006. The email also included a question about site working hours and whether any recommendation had been made as plant had been on the move from 0600 and work continued until after 2100.

Fraser Williamson said the detailed public access plan referred to when the development was completed, not the current situation. When asked he said the plan had been approved on the 10th July 2007. Technically the plan had been submitted in retrospect but Scottish Executive advice suggested flexibility to a Council's Head of Planning. SMG would not be the first or last developer to go ahead without all approval purified and he was not minded to stop the work. He also said the builders had permission to use Finnockbog Road. Cliff Lyons described that as a perverse decision as the road is narrow and dangerous. Fraser Williamson said when the development is completed there will be no traffic down Finnockbog Road from the site.

Reference was made to Alan Swinton's email of 5th July 2007 to Cllr Rebecchi in which he said –

5. Once the lime deliveries can be accepted from Spey Road, access to the compound off Finnockbog Road will be closed. This should occur in August before the schools return..... Fraser Williamson said that date will be the 16th of August 2007.

The question of site working hours appears to have been addressed by calls by Community Councillors and residents to Inverclyde Council. The site hours are now 0730-1800 with the odd hour or two of leeway as work is not taking place at the weekend.

Page 7, Item 12 – Any other business:

The secretary emailed councillors about glass reported at the playpark in Inverkip. Cllr Gerry Dorrian replied to say he'd ask Environmental Services to get something done about it, followed by another email to say he'd been assured it would be dealt with and he'd check at the end of the week to ensure it had been attended to.

Re the complaint about low floor buses not running through Inverkip Main Street.

The secretary wrote and then spoke to Bert Hendry, McGills' Operations Manager.

Two Largs/Glasgow buses per hour run along Main Street. At the moment the buses – in theory – alternate between a high smoothie cruiser and a low floor bus per hour.

Bert Hendry says that within a year it is intended all buses on the service will be low floor access vehicles, but that at £150,000 each their budget for this year is spent.

However, an inspector in Greenock can always – for various reasons – replace buses on routes, or a bus may be pulled for mechanical reasons. One can indeed call the company before travelling – on 711122 – but even then one can't be certain of the appropriate bus for the above reasons.

What he suggests is, if you live on Main Street, look out of your window and observe the bus at 18 minutes and 48 minutes past the hour heading for Largs.

That will be the 20 past and 50 minutes past the next hour on the Largs/Glasgow route!

Innes Nelson approved the Minutes, seconded by Hugh Ritchie

5. Secretary's Report and Correspondence:

The secretary reported a letter sent to her to be forwarded to the Chairman contained Community Councillor Paul Maloney's resignation from the Council. He cited work commitments both now and in the future. However he offered his support to the Community Council and wished it all the best in future endeavours. Paul Maloney's resignation was accepted with regret and the secretary was asked to write to thank him for his efforts over the years of his membership and to extend an invitation to him to return to the Community Council in the future should his commitments permit.

Letter from David Cairns MP enclosing a copy of a letter he'd received from Tom Harris, the Parliamentary Under Secretary of State at the Department for Transport confirming no dispensation had been sought for a proposed footbridge at Inverkip Station.

Inverclyde Elderly Forum newsletter

Email from Willie Wilson at Inverclyde Council about a community noticeboard. The contents to be considered

Email from Cowal Marketing Group seeking support for opposition to the proposed windfarm at Corlarach

6. Treasurer's Report:

Ron Potter reported the current balance of the Community Council's account as £1436.04

7. Planning Matters:

Inverkip – land off Spey Road – erection of temporary sales cabin by Stewart Milne Homes

Inverkip – 31 Findhorn Crescent – alterations and extension to dwellinghouse

8. Hill Farm site:

Innes Nelson asked Fraser Williamson about the proposed footbridge to Inverkip station and how could it go ahead without a Department for Transport dispensation or planning application. Fraser Williamson said the design of the footbridge had been approved and the bridge would be constructed when the 136th house on the site was built.

Innes Nelson said the Local Plan required the provision of a bridge for the developer to secure consent and complete the bridge with all consents. Hugh Ritchie said 60% of the development would be constructed before the footbridge was built. How had that come about. Fraser Williamson said he had recommended it and the planning committee had approved it. He continued by saying the first plans submitted for the footbridge he had indicated he was not minded to approve. The amended plans were approved in December 2006. Jim McIntosh reminded Fraser Williamson that at the December meeting he had said the footbridge was not about connectivity. Fraser Williamson said what he'd said at the meeting was that it was a bridge to the station, not about connectivity. But if it improved movement of people that would be a bonus. Lynne Chambers observed it was ironic therefore that former Cllr Eric Forbes' support for the development was based almost exclusively on the connectivity issue.

It was commented that if SMH built only a 100 houses and moved on it would be up to the next builder to take on the footbridge. Jim McIntosh said Fraser Williamson had presided over the desecration of Inverkip with building permitted on fields 5-9, and conjectured that 135 houses might be built and no bridge. Hugh Ritchie asked what would happen if the developer decided to escalate the size of the houses. Fraser Williamson said that would require further permission. He also said he felt it was 99% certain that SMH will go ahead with this site and build a bridge. In two to three weeks he expected an application for a proposed lift at the footbridge to be submitted. If the requirement for a dispensation for this bridge had been known for so long why hadn't SMH applied for it, was one question. It was pointed out only a statutory body could apply for dispensation. Fraser Williamson said he understood all necessary consents are being processed. The developer is working on the lift design and Head of Planning will have discussions with them before the design is presented, and Inverclyde Council's officers are working on the tripartite agreements. Fraser Williamson was asked if – as in the first bridge design – this lift is massive would the situation arise where he would not recommend approval. He didn't know, he said, as he hadn't seen the application. He added, the lift would not be Inverclyde Council's responsibility but First Scotrail's. It would appear, it was said, First Scotrail had changed its mind on the lift. Jim McIntosh said Inverclyde Council had paid £5,000 of public money for a legal opinion on disability access and thought it only right

members of the public had sight of the opinion. Fraser Williamson replied First Scotrail said the lift was required. It wasn't the Council changing its mind. He reported First Scotrail had not told Inverclyde Council before the December 2006 meeting of the planning committee. Hugh Ritchie asked if he submitted an application for a shop he would need to have disabled access. Fraser Williamson agreed. Why then, Hugh Ritchie asked, had he agreed to a bridge without disabled access. Fraser Williamson said the issue is the bridge is not DDA compliant and it is SMH's remit to obtain further consents. Jim McIntosh commented it was unlikely to get dispensation without a lift. Fraser Williamson said it was up to all to use their best endeavours to provide access. He said the bridge had to have as much access as possible, but in his view disabled access did not have 100% priority. He had a duty to balance the issues. He could accept the bridge was not compliant but still achieve the overall plan with the park and ride - better than no footbridge at all.

Jim McIntosh asked Cllr Ferguson what he made of it all. He said he had been a postman in Inverkip and his view was the development was not co-ordinated. When asked if he supported the development he replied he didn't know.

Hugh Ritchie returned to the issue of no bridge being built until the 136th house was built. Why the 136th he asked. Fraser Williamson said he'd come to that number in discussions with SMH and with the support of the planning committee. The question was put to him – if SMH can't get consent to build the bridge will the developer ask Inverclyde Council for permission just to build houses. The reply was - they could ask for a relaxation of the policy. Ron Potter asked if the developer withdraws the bridge and Fraser Williamson and Inverclyde Council say the bridge must be built, if SMH appealed to the Scottish Executive, what did he think the outcome would be. He replied he couldn't second guess the Executive.

Jim McIntosh asked if the bridge was not DDA compliant at the time of the December 2006 planning meeting why did it come before the planning committee. Fraser Williamson said at that time there was no clear indication from the developer or consultees the bridge wouldn't get consent. Jim McIntosh referred again to the legal opinion on disabled access to the bridge Inverclyde Council had sought as had SMH. Why didn't Inverclyde Council challenge the developer and ask will this bridge comply with the Code of Practice. Fraser Williamson asked Jim McIntosh – does that Code of Practice say under no circumstances will there be any deviation from the Code.

Cllr Ferguson said further to complaints by residents about lime from the site blowing over their cars and property he had asked Scottish Health Protection – a branch of the Scottish Environmental Protection Agency - to inspect the distribution of the lime and take samples. Ron Potter asked what the safety regulations were on the sheet of information held by the contractors. Cllr Ferguson said he would inquire.

Members of the Community Council and residents have been in constant touch with Inverclyde Council – their roads department and Environmental Services as well as the planning department and Council officers have usually reacted promptly and continue to have meetings with SMH in an attempt to ameliorate the effects on Inverkip villagers. Attention was drawn to the letter sent to Alan Barnes, head of Environmental Services at Inverclyde Council by the Chairman of the Community Council pointing out the Road Traffic Act being used to cover the road closure of the pedestrianised section of Finnockbog Road doesn't in fact cover pedestrians,

or the right of way, Jacob's Ladder. No response to that observation has been made. It was also laid out in Alan Swinton's email (see reference to this document above) that before any road closure could take place the surface of the alternative route - Everton Road – should be brought up to an appropriate standard. This had not been done. Innes Nelson said in his letter should any damage to persons or property occur as a result of sections of Finnockbog Road or the Right of Way being closed to pedestrians and horses by Inverclyde Council without due heed being given to the potential detrimental effects of this to villagers or their property, the letter would be filed and produced in the event of any claim. Fraser Williamson said Inverclyde Council's Robert Graham had written to SMH on the 1st of August pointing out more of the road had been closed off than permitted under the temporary order and a further temporary order was being issued. It also said immediate steps should be taken to improve Everton Road. It was agreed Alan Swinton, Robert Graham, Environmental Services and Ward 6 councillors had all been active on these issues. Cliff Lyons raised the issue of sewage and the ongoing flooding of Main Street, Inverkip, with foul water. What were the implications to the sewage system of a huge new development, he asked Fraser Williamson. He replied that Scottish Water would have to be satisfied with the system to be installed. Fraser Williamson was thanked for his attendance.

9. Community Council boundaries:

Ron Potter explained Community Council boundaries are under threat again. He said Innes Nelson favoured the old parish boundary for Inverkip and Wemyss Bay Community Council – from IBM down to the Cardwell Garden Centre, then to Inverkip and Wemyss Bay. Hugh Ritchie said he felt we should defend our area. Lynne Chambers said Innes Nelson, Ron Potter and she had attended a meeting of Larkfield, Branchton and Braeside Community Council to take part in a discussion with them. As the neighbouring Community Council in Ward 6 they have agreed it seems sensible for our Community Council to include the 3 farms across the road from IBM and if they are consulted and agree they would accept that boundary. Innes Nelson has undertaken the approach to the farmers. Ron Potter stressed if we do nothing then the matter will be taken out of our hands by Inverclyde Council. At least, we should have a proposal to put to the Council. It was agreed Gourrock Community Council should also be approached.

10. Date and time of next meeting: Thursday 6th September 2007

11. Any other business:

Cliff Lyons raised again the problem of raw sewage in the centre of Inverkip. He said there had been complaints of vibration in the road and it is feared the vibration is originating from the sewers.

Innes Nelson reported that he and Lynne Chambers had had a meeting with Guy Russell, the new factor of Ardgowan Estate. This followed a letter sent by the Chairman to Lady Lucinda Shaw-Stewart and several visits to the Land Registry by Innes Nelson. He said that many residents were still resolute in their opposition to the SMH development and he had been asked to approach Lady Lucinda with a view to purchasing a small strip of land south of Inverkip Station. It would then, the letter said, be possible to serve notice on the developer that the community would not allow

changes to take place on the road, and the bridge would not be allowed to pass over the strip of land at the station. This would (it was felt at that time) effectively stop the whole development from proceeding. However, Guy Russell said the land had been sold to SMH a month ago, although negotiations had been taking place over a period.

The Meeting was closed at 10.15pm.