

# Fort, Seafield and Wallacetown Community Council

## Minutes

12th October 2022 @ 7pm

Room RB3, Town Hall Buildings, Ayr

### 1. Attendance and Apologies

**Attendees:** Olena Stewart (Chair), Eric Armstrong, Michael Hitchon, Gordon Kelly, Kenny MacLeod, Alan Roseweir, Adam Short, Forbes Watson

**SAC Councillors:** George Weir

**Police:** PC Andy McGregor

**Minute Secretary:** Tricia McKeand

**Apologies:** Davies Brock, Martin Dowey, Lee Lyons, Norman McLean, Phil Martin, David Porte, Bob Shields, Denise Sommerville

**Public:** Esther Clark, Alan Mackay, Jim McKay, Reg Stewart

Forbes Watson paid tribute to the late Chic Brodie and his unfailing helpfulness. Letter to be sent to his widow by Forbes Watson.

Tricia McKeand was introduced as the new minute secretary.

### 2. Minutes of the September meeting (copy circulated)

Minutes were accepted.

### 3. Matters arising from Minutes and Approval of Minutes

Item 9 Accessible Ayr Initiative – Fiona Robertson of Accessible Ayr Initiative will attend November meeting. Pages of future minutes to be numbered.

Minutes were proposed by Gordon Kelly and seconded by Forbes Watson.

### 4. Roles and Responsibilities, Secretary vacancy

Olena Stewart will circulate this when complete.

### 5. Police Business – PC Andy McGregor

A report was given on the numbers of calls received and resulting crime reports; problems with curfews; targetting of drug dealers; increase in town centre dishonesty crime but reduction in assaults; increased town centre police presence at weekends; and road safety issues especially speeding. Forbes raised the question of housebreakings in Seafield/Doonfoot and South Park Road – Police understood that a gang from South of the border involved and under surveillance. David Porte report – he met with CI Kevin Lammie and brought up the issue of Police Attendance. The Annual Police Plan was welcomed. Post cards showing how to complete the Your Police survey were made available to all.

### 6. Councillors Report and Briefing - Note: The Watchful, Station Hotel, Golf Academy

Cllr George Weir's report – see appendix 1. Also, first online consultation on A77 was being held; reason for removal of statue outside Grain Exchange was queried; no knowledge of action on Golf Academy.

The Watchful fishing boat - grants might have been confirmed and would report further.

Station Hotel - it was agreed that Olena Stewart would contact other South Ayrshire community council Chairs about writing a joint letter to South Ayrshire Council with their combined concerns,

including the refusal of access for surveyors and the need to make it wind-and water-tight to avoid further payments for scaffolding; Gordon Kelly to send list of meeting's concerns to Olena.

#### **7. Common Good Fund – update from Forbes Watson**

Updates given 15/17 Sandgate has been sold to a known developer with plans for shops on ground floor and residential above. Darlington Church has been sold to the Arts Group with a condition that it cannot be sold on, other than for arts or charity purposes. Forbes Watson met with Robin Jamieson any future disposals of Common Good property will be advised to CC for comment. Forbes to make FOI request re expenditure on Common Good Funds. Forbes is to work with Davies Brock to provide a summary of common good law.

#### **8. FSWCA Wallacetown Energy Working Group – update from Alan Roseweir**

FSWCA Wallacetown Energy Working Group – in phase 2, capital funding required, looking for sources of funds.

#### **9. FSWCA Short Term Lets – to vote on Agenda item or not**

GK pointed out that it had been agreed at the previous CC meeting that STLs should be a standing agenda item for discussion during the ongoing SAC decision-making period on STL policy. He asked why the subject had been aligned to FSWCA and reiterated his proposal that the CC vote formally to include it as a matter for CC business. This proposal was seconded by FW. The Chair refused to allow a vote on the matter, which resulted in a heated discussion and led to a member of the public (Jim McKay) making verbal complaint and leaving the meeting. The Chair was assumed at this point by the Vice-Chair, Forbes Watson.

#### **10. Public Business**

Ayrshire Hospice – Jim McKay had left the meeting by this point so Gordon Kelly spoke on his behalf about the concerns which had been raised about increase in traffic, disruption to residents, and construction and subsidence at residents' meetings. It was agreed that a letter should be sent by Olena Stewart to SAC and Ayrshire Hospice expressing concern.

#### **11. Planning Applications – update from Kenny MacLeod**

See appendix 2. Kenny to write to SAC in support of Southpark Rd application.

#### **12. Licensing – update from Forbes Watson**

Carried forward to November.

#### **13. Reports and Correspondence – update from Secretary; Noticeboards, Communications FB update from Denise Sommerville and Website and generic Email addresses update from Adam Short.**

Denise Sommerville has agreed with Olena Stewart that they will share the updating of Facebook. Other items carried forward to November.

#### **14. Financial Report – Michael Hitchon**

£495 balance available for administration.

#### **15. AOCB**

SAC is planning a Remembrance Day procession and church service for 11 November.

Fort Residents Association has been wound up and SAC has approved transfer of funds to FSWCA.

#### **16. Date of next meeting: Wednesday 9th November 2022 at 7pm**

## **Appendix 1 – Councillor George Weir’s report**

### **Report for September/October**

1. Joined trip to Holyrood on 8th September.
2. Alloway, Doonfoot and St Leonards Community Council - no conservative presence (Bob on leave). Unexpectedly, a Police representative also attended.
  - a. Concerns expressed about renewed prospect of developments in the Corton area, East of the A77. A Pre-application Consultations on a retail component is underway.
3. By appointment surgeries continue with monthly joint Wallacetown surgery with Mark Dixon of Ayr North. Advertising posters soon. Constituents may also schedule Teams call.
4. Service and performance panel - incl. review of absenteeism within council employment
5. Audit and Governance panel - reviewing reports from Audit Scotland
6. South Ayrshire Charitable Trust meeting (Ayr Committee) - final allocation of trust funds
7. Recent Constituent issues
  - Short-term lets
  - Speeding and road safety issues (several email exchanges with Ayrshire Roads Alliance)
  - Relocation of bus stops
  - Pavement repairs
  - Issues with planning permissions - recent Brig o’ Doon farm shop and glamping pods application has been withdrawn.
8. Attended the Ayrshire Real Ale Festival in Troon, as a judge.

## **Appendix 2 - Planning Applications update from Kenny MacLeod**

12 Southpark Rd, remove fence paper re same distributed ask CC to support application. I believe is a positive action by CC supporting residents outwith the ordinary planning issues

Brief explanation of the war time propaganda to use railings for tanks.

Planning issues relevant, paper distributed from March 2022 Scottish gov debate.

Primarily focus on changes to compulsory purchase order so that it is more useful to councils and reference to a new Compulsory Sales Order that was recommended by the land Commission in 2018. Issues regarding human rights act being problematic which likely due to aspect of right to enjoy own property.

This as it stands now will allow councils to order that derelict land/ buildings are sold at auction rather than CPO where council have to buy them.

The second paper is self-explanatory but combined with the CSO above would be powerful tools against derelict properties re which ownership is difficult to determine, for instance as highlighted at last week regarding owners of proposed new restaurant bottom of High St.

## **All Scottish Parliament debates on 9 Mar 2022**

### **Emma Harper Scottish National Party**

To ask the Scottish Government how its housing strategy will support local authorities to take action in relation to vacant, derelict and abandoned buildings. (S6O-00830)

### **Shona Robison Scottish National Party**

Our "Housing to 2040" strategy recognises the importance of tackling vacant properties and highlights a range of actions. Those include support to local authorities through empty homes partnerships, use of the £50 million vacant and derelict land investment programme and supporting the delivery of homes in town centres and at the heart of communities by repurposing existing properties. Our affordable housing supply programme already supports the redevelopment of existing properties. During the second half of our 110,000 affordable homes target, we will accelerate funding to bring more existing homes into the programme, as well as building new ones.

### **Emma Harper Scottish National Party**

Scotland has almost 11,000 hectares of vacant and derelict sites. That is equivalent to 20,556 football pitches. In the South Scotland region, there is the George hotel in Stranraer, the InterFloor factory in Dumfries and the N Peal building in Hawick, among many others. The Scottish Land Commission stated that those sites have a detrimental impact on community health and wellbeing. March is land reuse month, so can the cabinet secretary provide an update on what additional

## **(Appendix 2 cont.)**

steps the Scottish Government can take to help communities to deal better with vacant, derelict and abandoned buildings?

### **Shona Robison Scottish National Party**

The draft national planning framework 4 proposes a stronger planning policy position on tackling vacant and derelict land and buildings, which will play an important role in helping to support and improve wellbeing for local communities. In addition, last year, we launched our low-carbon vacant and derelict land investment programme, which aims to help tackle persistent vacant and derelict land.

The fund is built around four pillars of action—urban green spaces, community-led regeneration, low-carbon housing and renewable energy. The fund will open for stage 1 applications in April, and all local authorities are eligible to apply.

### **Alexander Stewart Conservative**

The Local Government and Communities Committee recommended the introduction of compulsory sale orders in 2019. Despite being included in the latest Scottish National Party manifesto, there appears to be little movement on that issue. Can the cabinet secretary update Parliament on the plans to introduce compulsory sales orders?

### **Shona Robison Scottish National Party**

We are developing proposals for compulsory sales orders and compulsory purchase orders in the context of the actions and policies that are set out in “Housing to 2040”. Officials are undertaking a piece of work to scope and clarify the additional benefit of CSOs over and above the CPO process. Some issues and challenges need to be worked through, in order to ensure that, for example, the sales process is compatible with the European convention on human rights, and I am sure that Mr Stewart will appreciate that. The introduction of new powers has to be considered carefully, particularly if existing powers could be used to achieve the same outcome. That work is on-going and I am happy to keep Mr Stewart updated.

### **Paul Sweeney Labour**

Lots of people are homeless in Glasgow, but 2,659 residential properties are currently vacant on a long-term basis, and hundreds of square feet of vacant commercial buildings could be converted into residential properties, if there was a will to do so. However, often, the VAT arrangements militate against that, because VAT on residential conversions and adaptations is charged at 20 per cent, whereas, for demolition and new builds, it is 0 per cent. Will the Government make representations to the Treasury to deal with that issue at source? Will the Government also consider a VAT-offsetting scheme for Scotland, so that we can move forward and get retrofitting under way at scale?

## **(Appendix 2 cont.)**

### **Shona Robison Scottish National Party**

As Paul Sweeney recognised, VAT is a reserved matter, but I am happy to hear more about his suggestion. If he wants to write to me with more details, I am always happy to consider suggestions. I laid out in my initial answers a determination to look at vacant and derelict land, as well as buildings that need to be repurposed, and I am keen that we use our collective resources across Government to do that. We need to do everything that we can to enhance the affordable housing supply programme and regenerate some of our town centres. I am happy to hear more details of what Paul Sweeney was suggesting.

### **The new Register of Overseas Entities**

**The Register of Overseas Entities came into force in the UK on 1 August 2022 through the new Economic Crime (Transparency and Enforcement) Act 2022.**

The new Register of Overseas Entities is held by Companies House and requires overseas entities that own land or property in the UK to declare their beneficial owners and/or managing officers. There will be severe sanctions for those who do not comply, including restrictions on buying, selling, transferring, leasing or charging their land or property in the UK.

Overseas entities who want to buy, sell or transfer property or land in the UK, must register with Companies House and tell us who their registrable beneficial owners or managing officers are.

Overseas entities who already own or lease land or property in the UK will also need to register with Companies House and tell us who their registrable beneficial owners or managing officers are by 31 January 2023.

This applies to overseas entities who bought property or land on or after:

1 January 1999 in England and Wales

8 December 2014 in Scotland

Overseas entities only need to register property or land bought in

Northern Ireland on or after 1 August 2022.

Entities that disposed of property or land after 28 February 2022 will also need to give details of those dispositions.