

**Fort, Seafield and Wallacetown Community Council**  
**Minutes of Meeting**  
**8th February 2023 @ 7pm**  
**Grammar Primary School, Ayr**

**Attendees:** Forbes Watson (in the Chair), Michael Hitchon, Kenny MacLeod, Phil Martin, Denise Sommerville

**Councillors:** Bob Shields, George Weir

**Link Officer:** David Porte

**Minute Secretary:** Tricia McKeand

**Apologies:** Eric Armstrong, Gordon Kelly, Alan Roseweir, Adam Short, Cllr Martin Dowey, Davies Brock

**Members of the public:** Esther Clark, Carol Fisher, Helen Ford, Lesley Meek, Andrew Russell, Ian Thorburn

**1. Minutes of September 2022 – amended and agreed as a true record of the meeting**

September 2022 minutes with amendments were approved; proposed by K MacLeod and seconded by F Watson.

**Minutes of October 2022**

October 2022 minutes with amendments were approved; proposed by F Watson and seconded by M Hitchon.

**2. Matters arising from September 2022 minutes**

None.

**Matters arising from October 2022 minutes**

K MacLeod proposed that the following text, compiled by him and G Kelly, be accepted by the CC as an honest and accurate summary of the events that transpired at the meeting. After discussion, the proposal was voted for by all apart from one member, Phil Martin, who voted against.

‘Following the CC meeting held on 12th October 2022, four complaints were submitted regarding the conduct of the Chair OS at that meeting. Two of these complaints were submitted by members of the public who had attended the meeting and two were from CC members, who had also been present at the meeting. A Special Meeting was scheduled for 9th Nov 2022 to address these complaints and allow the Chair to respond. In essence these were that she had refused to allow a legitimate vote to take place regarding Short Term Lets being a standing item on future CC agendas and that she failed to acknowledge her own financial conflict of interest as a Short Term Let operator in the FSWCC area. The two public comments were responded to by vice chair FW without the informed consent of the CC.

On 6th November 2022, the Chair circulated the draft minutes from the October meeting for members to consider prior to ratification at the next CC meeting. Several members raised strong objections to this draft, pointing out serious inaccuracies. Concerns were also raised regarding inaccuracies in the September minutes. These inaccuracies had been discussed at the October meeting and corrections were proposed and approved by vote. However, the erroneous September minutes were published online without these corrections being made.

On 7th November 2022, South Ayrshire Council advised that the Chair had resigned from the CC. The previous Chair NM, who had not attended the October meeting had also likewise resigned.

On 9th November 2022, despite the resignation of the Chair and various objections to the draft minutes from the October meeting, the erroneous and unratified draft minutes were published on the FSWCC Website. The FSWCC Facebook page maintained by the chair OS was also no longer available and remains so.

Notwithstanding the resignation of the Chair, the remaining members decided that the planned Special Meeting should still go ahead on 9th November 2022, to discuss various issues such as members' declarations of interest. However, on the day that the meeting was planned to take place, South Ayrshire Council issued an email to all CC members stating the following:

“After discussions with Senior Management this morning it is the decision of South Ayrshire Council that the Fort, Seafield and Wallacetown Community Council is suspended with immediate effect. Major concerns have been raised over the correspondence received in recent weeks and is now at a point where a full investigation needs to be conducted to satisfy us that the Scheme for Establishment of Community Councils including the Code of Conduct has been followed.”

Under the instructions of the SAC Service Lead for Thriving Communities, an investigation was conducted and all members of the CC, along with some members of the public who had attended the October meeting, were interviewed. Other than the message quoted above, no further clarity was provided on the reason for the suspension of the CC and investigation, but it was declared that this would be made clear when the outcome was announced.

On 21st December 2022, a letter was issued to all remaining CC members from the SAC Head of Legal and Regulatory Services that stated:

“The Service Lead for Thriving Communities has now confirmed to me that Community Council is in a position to conform to the Scheme and accordingly I am satisfied that the Community Council can be fully re-instated effective from the date of this email.

This means that the Community Council will be able to convene for its next scheduled meeting on the 11th January 2023.”

Following this announcement, it was agreed that the January CC meeting should be held in private (in accordance with the Scheme for Establishment of Community Councils) to allow the remaining members of the CC to discuss matters of internal governance and procedures going forward. Key outcomes from that meeting included unanimous agreement that minutes will remain in draft and must not be published or made available to the public until ratified and approved by vote at the subsequent meeting. Also, that CC members will be required to make a declaration of interest at the start of each meeting which may exclude their participation from that agenda item.

At the request of the remaining CC members, the SAC Service Lead for Thriving Communities arranged and chaired a meeting on 2nd Feb 2023 to inform those members of the reason for the suspension of the CC and subsequent investigation. It was explained that SAC had received 4/5 complaints. However, the investigation concluded that these allegations were unfounded, and had therefore reinstated the CC with its remaining membership. They also advised that on reflection they actually had no authority to suspend the CC but had acted in good faith and for the benefit of all involved and would be happy to pass on to the CC any of the complaints with the consent of the individuals concerned.

On a further point of clarification, the SAC Service Lead for Thriving Communities addressed a claim that was made by the former Chair NM prior to the meeting held at the June CC meeting that

he had received legal advice from SAC that effectively prevented a discussion regarding Short Term Lets from being held at the June meeting. The Service Lead for Thriving Communities refuted this, and confirmed unequivocally that no such legal advice was ever provided by SAC.'

P Martin asked to have it minuted that the above text had been written nearly four months after the meeting, and that recollections might differ.

### **3. Declaration of Interest**

None.

### **4. Police Report**

None. There was a discussion about whether a monthly or quarterly report would be more useful, and about what it should contain.

### **5. Council Business**

Some members said they had not received an agenda, nor any other notification of the meeting, and there was discussion about how SAC councillors should be notified, and about what their reports to meetings should contain. It was agreed that future agendas should contain more specific items.

Members of the public raised the issue of speeding and illegal parking in Doonfoot Road, and the need for double yellow lines. Cllr Shields and Cllr Weir agreed to take on this matter. Members of the public were advised to report the problems on the Ayrshire Roads Alliance website.

Cllr Weir reported on an initiative 'Recycling Saturday – Ayr' which is held on the first Saturday of each month in Newton Primary car park.

Station Hotel – Cllr Shields reported that the SAC intention was still to demolish the part of the hotel currently covered in tarpaulin when they have the legal right to do so, and in the meantime will consider any robust and financially-sound options which are put to them. He also advised that the Scottish Government's contributions to the cost of the scaffolding had come to an end and were being reviewed.

K MacLeod questioned the attendance of public members from outwith the CC area and highlighted that the consensus at the SAC CC training event attended by him, MH & GK was that 'the public' meant residents in the CC area. Other members disagreed.

D Porte would investigate a report of an abandoned white van in Strathayr Place.

### **6. Planning/Licensing**

**6a. Licensing – F Watson:** nothing to report.

**6b Planning – K MacLeod.**

Planning application by Blue Lagoon 100-104 Sandgate: after discussion, which included that there were several aspects of the application that were detrimental to the public, including limited access, and that there was failure to comply with the town centre conservation status, it was decided unanimously that KM should, on behalf of the CC, lodge an objection to the application with SAC.

Planning application for 6 flats at 116 High St, the Clinton Cards building: after discussion, which included that the applicant appeared to intend that storage of the flats' waste bins would be on the public footpath, to the detriment and visual amenity of the public, that such behaviour in town centres was no longer being accepted by other towns, and that the application had also failed to

correctly state the correct addresses, it was decided unanimously that KM should, on behalf of the CC, lodge an objection to the application with SAC.

KM also advised the CC that several late applications had been submitted for planning consent by existing Short Term Lets / Airbnbs which would require attention at next meeting.

KM also advised that there had been issues with delivery vehicles/builders using taxi ranks for substantial periods on the High St, which resulted in a loss of, or reduction in, the public facility. It was agreed that KM should contact Ayrshire Roads Alliance (ARA) to determine the status of taxi ranks and the detrimental effect on the facility for the public's use.

## **7. FSWCA Report**

See appendix 1 (attachment) for December 2022 newsletter from A Roseweir.

## **8. Energy Report**

See appendix 2 for Energy Group report for December 22 – February 2023 from A Roseweir.

## **9. Short Term Lets Report**

F Watson reported on the content of a report he had received from I Mackie about Short Term Lets.

Cllr Weir reported that SAC were waiting for clarification about whether Short Term Lets are a Change of Use.

## **10. Public Business**

See item 5 Council Business.

## **11. Email addresses and website**

A Short was thanked for his papers on Web Hosting, Using HTTPS and Using Personal Email Accounts for Work. It was unanimously agreed that he be asked to proceed with moving Website Hosting to Ionos for costs given, which would include 10 email addresses. **Action:** D Sommerville

## **12. Common Good**

P Martin undertook to report on any relevant news from Low Green and Ayr Seafront Trust (LAST) meetings as they were now looking at other Common Good assets.

## **13. Finance**

Michael Hitchon distributed copies of an interim Receipts and Payment Account to 8 February 2023.

## **14. AOCB**

F Watson announced that he was standing down as Vice Chair. He was thanked for serving in that role and as Acting Chair.

P Martin's proposed that all members respect the position of the Chair and recognise that their role includes deciding who should speak (apart from in an open discussion), and that they can stop someone from speaking. This proposal was seconded by D Sommerville. He also reminded members that any disagreement with the Chair could be raised with them at the end of a meeting, and that an official complaints procedure existed.

## **15. Date of Next Meeting**

Wednesday 8 March at 7pm.

**Appendix 1** – see attachment.

## **Appendix 2**

### **Energy Working group – Update report for Community Association**

**December 2022 – February 2023**

#### **Educational Update**

One of the key objectives of the project is educational engagement and development. The project is supporting this by providing Photovoltaic activity kit plus Carbon Footprint and eco home learning packs for each school. These kits will assist them in the development of their STEM activity.

The three heads, (see details below) have been notified.

[Fiona McAvoy, Head Teacher, Newton Primary School](#)

[Diane Hodge, Centre Manager Wallactown Early Years Centre](#)

[Louise Gray, Head Teacher Newton Primary School](#)

I am in discussion with Ayrshire College and Brian Ronald, Digital Visualisation from SAC to provide support in the development and delivery of the STEM curriculum. I met with Jo Dempster, STEM Manager Princes Trust Dumfries House in relation to further support. Jo has agreed to provide further support to the schools and South Ayrshire

#### **Community Communication – Wallacetown**

I was invited by Mr Ian Gall, Pastor Riverside Church Wallacetown and his Board of Trustees on the 29<sup>th</sup> November 2022 to provide details of the projects. Ian and his trustees have agreed to work in partnership to support the project. Further meetings are being planned.

#### **Technology Feasibility study update**

The building structure survey reports have now been received from Absolute. The initial findings are that the three buildings are suitable to support the maximum array of PV panels without further structural work being required. Mark Fazzini from Absolute has also provided the Electrical Distribution specification requirements for each building. An inspection will be required to ascertain the current status and to determine if the buildings require upgrading. This work will be carried out by SAC.

## **Press Engagement**

I have had early engagement with representation from the Daily Record and the Ayrshire Post. Both papers have indicated their support. Further meetings to be arranged. A first draft has been produced by Abie Smillie, (Reporter). We are in the process of arranging a photo session for the handover of the kits to the schools.

### **Meeting with SAC Senior Staff – 24<sup>th</sup> January 2023**

I was invited to present to senior staff from SAC. The purpose of the meeting was to provide a summary of the project achievements so far and to give consideration to what the partnership model for distribution of income to the community should look like. The presentation was well received. Further meeting(s) to be organised.

### **Scottish Power Network – Net zero Conference – 25<sup>th</sup> January 2023**

I attended this event, (virtual). The purpose of the event was to make communities aware of funding opportunities for feasibility studies and capital funding. Delegates were invited to register a note of interest. I have registered in relation to capital funding the registration has been acknowledged. I will update as appropriate.

## **Next stage**

The points below provide an indication of the next stage actions:

- Draft outline bid paper to Community and Renewable Energy Scheme (**CARES**)
- Identification of appropriate capital funding routes to support full project implementation.
- Further development of the partnership model with SAC

Alan Roseweir, (Chair of Wallacetown Energy Project Group) – 8<sup>th</sup> February 2023