

# Royal Burgh of St Andrews Community Council

## Agenda – March 2004

There will be a meeting of the community council at 6.45pm to accommodate the Young Citizen award – formal meeting will start at 7pm – on Monday 2nd March in the Burgh Chambers of the Town Hall, Queen's Gardens. There will be a short break at about 8pm during which the 200 Club draw will be made.

*(Copies of Agendas and Minutes of the Community Council are held at Fife Council's Local Office, St Mary's Place and the Town Library, Church Square. Those from mid-1998 on are online at <http://www.louisxiv.demon.co.uk/standrewscc/>)*

### 0. Young Citizen 2003 Awards

#### 1. Apologies

#### 2. Minutes of February 2004

*Read for accuracy in matters of substance – harangue the secretary for minor errors (spelling etc) outwith the meeting.*

#### 3. Presentations

*For anyone wishing to address the meeting on a matter relevant to St Andrews. Please contact the Secretary or Chair before the meeting. Priority will be given to those who have been invited to speak or have given advance notice.*

##### 3.1. Police report

##### 3.2. Clatto Landscape Protection Campaign

To explain their concerns about a windfarm proposed for the Clatto Hill area and ask for our backing.

##### 3.3. Loches

#### 4. Fife Councillors

##### 4.1. Frances Melville (West)

##### 4.2. Sheila Black (South)

##### 4.3. Bill Sangster (Central)

##### 4.4. Jane Ann Liston (South East)

#### 5. Planning Committee

[Appendix A](#): Minutes of 26 Jan.

#### 6. Matters Arising from previous meetings

##### 6.1. Links with Loches, France

(This item held over from Feb 04) [February 2003 6.1.] The St Andrews-Loches Alliance was asked by community council in February 2003 to come back in a year to demonstrate support in St Andrews for 'twinning'.

[Appendix L](#) – Community Council’s guidelines for considering twinning/links request, agreed December 2002.

[Appendix B](#) – For Loches Links, by the Loches Alliance

[Appendix F](#) – Guidance from Fife Council on “Material Interest”

[Appendix I](#) – Against Loches Links, letter from Ian Swankie

## **6.2. Links with Tabor, Czech Republic**

[February 7.14.] Hon Consul General Dr Millar suggests this web site for further information about Tabor: <http://www.tabor.cz/1ja/>.

## **6.3. Community Council Elections**

In response to the problems of an October 2004 election in St Andrews for the student population raised by Cllr Melville, Cllr Liston and ourselves, Iain Grant has agreed to consider a different election date for St Andrews.

Some people have asked how other areas cope with this problem of a mobile population. The Association of Scottish Community Councils is not aware of anywhere else with the degree of problem faced here, though will enquire of other areas with a strong student population.

**What date do we suggest?**

## **6.4. St Andrews in Focus**

[December 3.3] Following discussions the editor, Flora Selwyn, has offered us a regular half page at a “substantially discounted rate”, which is on a par with the cost of the Bulletin. Chair and treasurer have been kept informed.

Provided we feel we can usefully use that space it is recommended we accept that offer on an issue by issue basis for the remainder of this community council session. [PL]

## **6.5. Harbour Trust**

[January 3.2.] [Appendix J](#): Joe Lamb’s concerns.

## **6.6. Accessible St Andrews**

[February 3.2] Mr Swankie of Macgregors Gifts has responded to the letter from Locality Manager Assistant Rachel Hay which we agreed to support last month. [Appendix E](#).

## **6.7. Commendation to Whey Pat Tavern**

[February 10.1] Thanks to Archie Strachan for presenting the commendation to the Whey Pat as they presented £1200 to CHAS. Photographs appeared in the local press.

## **6.8+. Any other matters arising?**

## **7. New Business**

### **7.1. European Election Hustings**

Should we try to organise a hustings for the June 2004 election?

### **7.2. Bandstand Concerts**

Who will arrange this year’s programme and who will run the concerts themselves?

### **7.3. Community Councils Showcase**

[Appendix G](#): background information from Head of Local Services

Do we wish to send a representative to the steering group meeting  
6.30pm, Mon 22 March, County Buildings, Cupar.

#### **7.4. NHS Fife Pastoral Care Policy Draft**

NHS Fife is working to develop a Spiritual and Pastoral Care Policy for Fife. Comments by 31st March. Draft also available at <http://www.show.scot.nhs.uk/>

Do we wish to comment?

#### **7.5. Draft Local Health Plan 2004-5**

Do we wish to comment by 12th March.

#### **7.6. St Andrews Harbour future development**

[Appendix H](#): RPC Consultants Ltd are to study "development potential and opportunities to manage land use in the area" of the harbour.

#### **7.7. Conference for Community Councils**

Community Councils and the New Scottish Democracy is the title of a conference considering wider public participation in the work of the Scottish Parliament; the revitalisation of local democracy; involvement of the public in health care policy. Speakers from the Edinburgh Association of Community Councils and Lothian Health Board. 10am-noon, Sat 27 March, Edinburgh City Chambers.

#### **7.8. Scottish Water Charges**

Scottish Water write to outline their domestic and business charges for water and waste water services. More detailed information is at <http://www.scottishwater.co.uk/>

#### **7.9. eVolve**

Volunteering Fife's newsletter. Issue 1, Jan 04: About us (the amalgamation of the East, West and Centre volunteer centres); Services offered; Volunteering Fife welcomes Val to Kirkcaldy; Cupar and beyond; Bletcher Together; Team challenges; Millennium Volunteers Award; IT buddies; Spirals project; New ways; Fife Employability Network; Volunteers in practice; A new lease of life; Volunteer with a difference at Victoria Hospice; Pass it on; Time+Skill+Choice=?; Some reasons to volunteer; Q&A.

Flier: Volunteering Fife: Opening Doors event 9.30-am-3pm 16 March, Glenrothes. Workshops and stalls at the Rothes Halls.

#### **7.10. Spectrum**

Volunteer Development Scotland's newsletter. Issue 6 Jan/Feb 04: Volunteering Strategy; Finding Volunteers via the Internet; CHAS Volunteering – what makes it work?; Pushing the student agenda; Protecting children; FAQs; Accessible volunteering.

#### **7.11. SEPAView**

Scottish Environmental Protection Agency's newsletter, Winter 04, issue 18: Congestion charging; Times they are a changin'; UK's first offshore wind farm; River Ythan project; My Environment; Year Planner – environmental events; Black Network Environment; Awards; Stan Dagg.

#### **7.12. VONEF**

VONEF's newsletter Feb 04, issue 41: Community Fund changes; Rural Voices 2004; Learning link Scotland; Community organisation in

Levenmouth; Capacity building workshop; Volunteering Fife; Working and Learning together; Rural community transport initiative; Unemployed voluntary action fund; Changes for insurance; Water charges; Free computers from BT; Equality forum 2004; Community radio; Media Trust Scotland; Advocacy steering group; ME/CFS support NE Fife.

### 7.13. Planning Aid

Planning Aid's newsletter. Issue 38, Feb 04: "Planning for People" ready to roll; Getting the best out of representations; Fighting the Floods – helping a community council have its say; 2003 national Planning Aid Conference; Training and recruitment Spring 04; AGM 12 June 04, Stirling.

## 8. Reports from Officers

### 8.1. Chair

### 8.2. Treasurer

### 8.3. Secretary

**8.3.1. Homeless Accommodation** [February 6.1] [Appendix C](#): Letter to John Mills.

**8.3.2. Development & Environment Study** [February 8.3.2.] Ben Clifford has sent his spare copies of the Executive Summary (circulated last month) – collect from the Secretary, those who asked for a copy – and the public version of the dissertation (some details omitted for confidentiality).

**8.3.3. Greetings to Patras** [February 8.3.1.] Two 2yd saltires have been purchased. Discussion ongoing with the Machie family over formal presentation before their trip in May; the May meeting looks likely.

**8.3.4. Statement to the press** Following inaccurate remarks by Cllr Peter Douglas (11/02/04) concerning the position of community council on the 7th course a correction was issued to the press: [Appendix D](#). Thanks to Dougie Miller the response appeared on 13/02/04.

**8.3.5. Supporting Locality Assistant post** [February 3.2.] [Appendix K](#) email to Keith Winter, Head of Development Services.

### 8.3.6. Upcoming presentations, etc:

April: Fairtrade Status for St Andrews, Alice Curteis.

May: Greetings presentation; AGM; Coastal Path, Chris Broome.

## 9. Reports

### 9.1. From Committees

### 9.2. From Representatives

## 10. Any Other Competent Business

*Please notify Chair of AOCB items before the start of the meeting or at the break. Hint: Given that the end of the meeting is often taken in something of a rush, unless items are urgent it might be better to submit them for next meeting's New Business.*

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## Appendix A – Planning Minutes

### PLANNING MEETING – 26.1.04

If you have two copies of the notes of the meeting dated 12.1.04, please tear up the one which has at the bottom of the page: - "10. Hepburn Hall –

*information at meeting re new application."*

- 1. 17 Queens Gardens** – HMO (5 persons). Alteration to dwellinghouse to form 2 flats. OBJ. P.U.
- 2. 40 North Street** – first floor porch extension to flat. N.C.
- 3. 82 Market Street** – material variation to consent, to instal fan/duct. N.C.
- 4. John Knox Road** – erect in store for nursing home, including amendment to parking layout. N.C.
- 5. 43 Kinnessburn Road** – subdivide dwelling to form 2 dwellings. N.C.
- 6. 49 South Street** – change of use, and alter restaurant and rooms to form dwellinghouse. N.C.
- 7. Boys Brigade Hall** – erect 2-storey block of 4 flats, vehicle access and associated parking. N.C.

#### **Local plan and structure plan**

The nature of affordable housing – should be affordability in perpetuity, otherwise it is simply using up available land. There should be a specification for affordable housing that is a better mix of housing assets. Designated area for a housing co-operative? Light pollution? Noise pollution?

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## **Appendix B – For Loches Links**

*From D F Macgregor, Chairman, St Andrews-Loches Alliance, on behalf of the Alliance Committee.*

### **1. Why now?**

On 3 February 2003 following a lengthy debate the Community Council decided to ask the St Andrews-Loches Alliance to come back in about a year with evidence of support within the community of St Andrews for the proposal that the Alliance should enter into a partnership agreement with the Nouvelle Alliance in Loches-en-Touraine, who are also supportive of the idea. That evidence was presented in the agenda papers for February 2004 (Agenda Item 6.6 plus Appendix) and is summarised in Para 2.

In fact it is sufficient for a group of citizens in both towns to want an EU town-twinning link without necessarily going through the Community Council or equivalent body. The Alliance however decided to take that route in 1996-7 and has faithfully gone through all the hoops set up for it. Its committee believes that there is now sufficient community support in St Andrews, and asks for the Community Council's moral support.

### **2. Public awareness and evidence of support**

Most people are aware that the Alliance seeks to have its links with Loches recognised. Following the responses to the proposal which were sent in through December 2002/January 2003, and after the CC debate last February, there has been correspondence in the St Andrews Citizen, an article written by Citizen staff, more correspondence, an opinion poll conducted by the Citizen, and letters sent by the Alliance to a considerable number of organisations to establish the level of support from them. In the first responses, the opinion poll and in the replies to the most recent letters there has been a clear majority in favour of supporting the proposal.

### **3. What is sought?**

The intention is to that the Alliance will act as a channel to assist local organisations to develop contacts with their counterparts in Loches. The

procedure is that if two associations wish formally to be linked, they contact the Mayor or equivalent of the two municipalities to inform them of their wish to conduct an official twinning formalisation. The two Mayors/equivalents and the two chairpersons of the associations would then sign an official agreement. (See Para 8 on 2004 Arrangements).

It is worth noting that 2004 marks the centenary of the Entente Cordiale between the UK and France, and that both the UK Government and the Scottish Executive have arranged a programme of events to encourage closer links between the two countries.

#### **4. Benefits only to local people, not to officials**

Official recognition of the links between the two towns is intended primarily to foster friendship and co-operation. Secondly, membership of the scheme will permit local people and organisations to apply for assistance with events that the European Commission decides on an annual basis are eligible for partial grant aid – from a fund to which we as taxpayers already contribute.

The St Andrews-Loches Alliance and its members never have benefited, nor will they benefit financially from such recognition – nor indeed in any other sense other than through personal pleasure and satisfaction in seeing people being brought together. The people who will benefit are the groups who participate in visits, exchanges etc, for example young people.

#### **5. No horn of plenty**

Once twinned, both alliances will be able to apply for funding under the EU twinning scheme, which is available only to those organisations twinned or in process of formalising a link. One point worth noting is that if EU twinning funding were awarded to a project it might result in subsequent budget contributions from other sources. There is however no absolute guarantee that funding will be given – but as stressed above, funding is secondary to the process.

St Andrews organisations will of course in any event continue to be able to access other sources of funding such as the Community Grants Scheme, Lottery Funding, European Commission Youth Funding etc, depending on the nature of their projects.

#### **6. No exclusivity**

There is no intention or wish that a partnership with Loches should be exclusive. Dunfermline, for instance, now has five official partner towns and one informal link. Their last partnership was formed two years ago and nothing prevents the formation of more – and not necessarily with the existing informal link. Thus it can be argued that St Andrews groups seeking to form further official links will be able to benefit from recognition of St Andrews/Loches.

It will be open to organisations to approach the Alliance on a voluntary basis to seek assistance or advice with projects involving Loches.

Those who disapprove of an official link will not be affected at all.

#### **7. Terminology**

The term 'twinning' seems to upset some people, possibly because it implies that partner towns require to mirror each other, which is not the case. St Andrews is unique, and no one claims that Loches is identical to it, though it too has been visited by many famous people in history such as Mary, Queen of Scots. What would be the point of a partnership if the towns were very similar? The point is that after almost seven years of development of links between two historic and attractive towns, it is time to advance to the next stage, to move forward and not to stagnate.

## 8. Note on 2004 Arrangements

New rules covering twinning arrangements have been announced by the European Commission following pressure from the European Parliament. The following is a summary of the eligibility arrangements currently in operation.

Twinning associations can apply directly for assistance under the two schemes currently eligible for funding (Scheme A – Meetings of Citizens) and Scheme B (Conferences on a European Theme) provided that they have

- (i) a letter of support from the municipality and
- (ii) the application is accompanied by a twinning agreement signed by the mayor or equivalent (Fife Council Convener).

This applies to applications under both the A scheme and the B Scheme, although it is unusual for a single Twinning Association to apply on its own to host a conference. Clubs and Societies not directly linked to twinning objectives can not apply on their own.

Financial responsibility under these circumstances lies wholly with the applicant organisation and they must hold relevant financial documents for audit purposes.

Further to February's appendix A:

## Additional Comments from Local Organisations

### R&A:

The R&A Club Committee did indeed discuss the Alliance towards the end of last year. The Committee's view was that it would rather the Club did not take a position on the matter or become involved in the debate, bearing in mind the difficulty of speaking on behalf of over 2,000 Members spread around the world. The Committee thought that our Local Members probably held a variety of views and as your letter suggests, those who wish to will no doubt have contacted you themselves by now.

### St Andrews Links Trust

The External Relations Manager of St Andrews Links Trust stated that the Trust would be unable to take up a position on the matter.

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## Appendix C – Homeless Accommodation

*To John Mills, Housing Service.*

Thank you for your December presentation to community council on temporary homeless accommodation. I apologise for the delay in responding; we had intended to deal with the matter in January, but other business overran and pushed our response (and much else of our January agenda) into this month.

The Royal Burgh of St Andrews Community Council agreed at its 2 February 2004 meeting:

- 1) To support in principle increased and improved temporary homelessness accommodation in St Andrews.
- 2) Community council feels that distribution throughout the community is better than a single large facility, offering a better chance to merge with the community rather than standing out as a homeless accommodation ghetto.
- 3) While not wishing to preempt the professional assessment of the Housing Service of the most practical methods for providing temporary

accommodation in the St Andrews area, Fife Council is urged to investigate rental or leasing of suitable properties and outright purchase of properties where appropriate and financially practical. We hear that the 'scattered rental' model has proved effective in many places in the UK.

4) Homeless accommodation, temporary or otherwise, should not be seen as merely a matter of housing; various support services, council and external, must be involved from start to finish. In particular community council feel support is critically important for young people finding themselves homeless and probably without the knowledge and skills to deal adequately with the situation on their own.

5) As was emphasised at the December meeting, it is important that the immediate neighbourhood of any facility is kept well informed, and consulted over its establishment. There should also be a clear way of dealing with any problems that arise in during ongoing operation.

6) Thank you very much for involving community council in consultation on this project. We look forward to being kept informed of its progress.

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## Appendix D – 7th Course correction

*Statement by Pete Lindsay as Secretary, to the press correcting remarks by Cllr Douglas.*

I must correct the mistaken impression put forth by a member of the Links Trust Management Committee, Cllr Peter Douglas, of the position of the Royal Burgh of St Andrews Community Council on the seventh Links Trust golf course application (The Courier, 11/02/04 p5).

The position of community council was exhaustively debated at its monthly meeting on 5th January 2004. In a series of formal votes the four principle points of objection were agreed by large majorities:

i) That the application is premature before the green belt is established: 13 for, 0 against, 3 abstain.

ii) The proposal does not comply with national policies on development on the coast: 10 for, 3 against, 3 abstain.

(one member left the meeting between votes ii and iii)

iii) The case for a new course is an amalgam of statistical and legal arguments, neither sufficiently detailed to be persuasive: 10 for, 3 against, 2 abstain.

iv) The predicted traffic figures are poorly assessed and likely to be serious underestimates. A full Traffic Impact Assessment is required: 7 for, 2 against, 6 abstain.

[points paraphrased; formal statement is in the meeting minutes at <http://www.louisxiv.demon.co.uk/standrewscc/2004/0401minutes.html#5.2>].

Cllr Douglas should have noted that only a small "element" of the community council support the uncritical acceptance of the current seventh course application which must necessarily have a greater impact on St Andrews than, say, Boarhills.

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## Appendix E – Accessible St Andrews

*Response by Ian Swankie of Macgregor Gifts in Market St*

I totally support the proposed ban on A Boards. In the past we have used them ourselves but only as a "defensive" measure. Not to use them would put us at a competitive disadvantage.

The more A Boards there are the less impact any one will have.

Any business which feels it requires some additional signage at right angles to its premises is perfectly entitled to apply for planning permission for a wall mounted sign. It is illogical to insist on planning permission for a sign fixed on a ratepayers own premises but to have no such requirement for a sign (usually larger) situated on Public Property (pavement).

Any ban should also include barriers put out to delineate the area where tables and chairs sit outside catering establishments. We shall be removing ours for the month of March.

Please don't hesitate to get in touch with me if I can do anything to help rid our streets of this nuisance.

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## **Appendix F – Material Interest**

*Advice from Mike Melville, Team Leader (Administration), Law & Administration, Fife Council. 26/2/04.*

It is the responsibility of the individual Community Councillor to declare an interest – there is no question of any individuals being prevented from taking part in a debate. Whilst another member of the Community may ask, with the Chairman's permission, about the nature of an interest the decision whether or not to take part will still rest with the individual Councillor.

I think, in terms of openness, it is correct that members of the Loches Alliance should declare their membership at the outset but, on the information submitted, I do not think that members of the Loches Alliance have a material interest. Therefore I think that such members could take part in the debate.

This is effectively a policy decision on the part of the Community Council and is substantially different from, say, a Community Councillor wishing to vote on the Community Council's discussion of his or her own planning application, which would clearly be a material interest.

I would suggest that it is more analogous to a situation where a Councillor is elected to Fife Council on a platform of reducing the Council Tax. That hypothetical individual would not be debarred from voting on the Council's budget proposals because of that pre-determined position.

If someone were unhappy with the conduct of a Community Councillor, particularly in terms of something that might appear to be a breach of the Scheme, then they would be entitled to raise it not only with the Community Council but with Fife Council. In the absence of a formal complaints procedure it is not clear how that would be progressed nor what action could be taken if a breach were established. However, I am sure that we would look seriously at any complaint received and give all parties an opportunity to comment.

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## **Appendix G – Community Councils Showcase**

*From Mike Robinson, Head of Local Services.*

One of the suggestions from the previous round of Community Council Seminars in East Fife was that a showcase event be held to promote some of the good work undertaken by Community Councils and also to enable Community Councils to share good practice with each other.

Although the Council is prepared to support the Community Councils in this event, it is felt that it would be appropriate for representatives of Community Councils to lead on the content and organisation of the

showcase.

To this end it is proposed that a steering group be set up involving representatives of the Community Councils, supported by Officers of Fife Council, to take the event forward. I would be grateful therefore if your Community Council would consider whether or not it would be able to nominate a representative to a steering group to enable this event to take place.

An initial meeting of the steering group has been provisionally set for Monday 22nd March 2004 at 6.30pm in the County Buildings, Cupar. If your Community Council is willing to send a representative to this meeting then I would be grateful if you would advise Mike Melville, Team Leader, Law and Administration (Tel. 01334 412914) in advance so that the necessary arrangements can be made.

It is hoped that this event will help promote the role of Community Councils in the run up to the Community Council Elections in October 2004.

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## **Appendix H – St Andrews Harbour future development**

*From Bill Lindsay, Team Leader (Plans and Projects) Development Service*

St Andrews Harbour and East Sands – Shaping An Approach To The Future Development

Fife Council, the University of St Andrews, and Scottish Enterprise Fife have agreed to investigate the planning issues, and environmental and economic opportunities in the corridor of land running between St Andrews Harbour and East Sands (an indicative map of the study area is enclosed with this letter). We have agreed jointly to appoint RPS Consultants Ltd to undertake a study of this area and produce a report outlining the development potential and opportunities to manage land use in the area. The study will:

- Identify feasible development options and actions necessary to guide and manage land use and development;
- Have regard to the aspirations of the land owners and community stakeholders;
- Assess constraints and how they might be overcome;
- Outline development principles that can be applied through development briefs and planning policies;

The findings of the report will inform the preparation of the St Andrews and East Fife Local Plan, which is due to be produced in draft form in Autumn 2004, and will contribute to the implementation of the St Andrews World Class initiative. The findings may also be used in advance of the new local plan being adopted to guide development decision compatible with current planning policy.

You have been identified to RPS as a representative of one of a number of groups and organisations with a direct interest in the area under study and this letter is to forewarn you that the company, as part of their investigations, may contact you. It is also the intention to hold a stakeholders' meeting during the course of the study and you will be advised of that once details are arranged.

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## **Appendix I – Against Loches Links**

*From Ian Swankie*

### Re Loches-en-Touraine Twinning

When considering the above at the meeting on Monday I would be grateful if you would take account of the following:

Previous valid enquiries about twinning should be readdressed first.

The Loches Alliance's attempts to ascertain the level of support for twinning should be ignored for the following reasons:

a. It was implied that European Funding for organisations would be available if a formal twinning arrangement was entered into. Any available funding is minimal and only for very specific projects which would not in any way help either the Council or any St Andrews organisations. (please see enclosed documents)

b. No mention was made of the many other requests for twinning which have in the past been refused as a matter of policy. I understand the current chairman was also chairman when that policy was inaugurated.

c. The responses were unconvincing e.g. St Andrews Colts response would appear to have been made on the assumption that funding for another visit to Loches would be available if we twinned. This would not be the case.

I understand that the Headmaster of Madras, having been informed of the past requests for twinning, has now withdrawn his support.

d. From the beginning of this debate the members of the Community Council who are also members of the Loches Alliance have been misusing their positions as representatives of the community. I fully appreciate that according to the legal advice received by the council Mr Macgregor and Mr Riddell are entitled to discuss and to vote on this subject. I have today spoken to Mr M Melville of the Law and Administration service. His position re the scheme hinges on the interpretation of the words "material interest" and he did say to me that the interpretation is a grey area. Having taken legal advice myself, I maintain that an equally strong case could be put for the opposite argument. I note from Mr Melville's comments to me that this interpretation could be appealed with Fife Council.

In any event the members concerned have used their privileged position to present an unbalanced and incomplete picture. They have a moral obligation to take no part in the council's deliberations.

Thank you for your attention. I am enclosing the latest European Commission Town Twinning Information Sheet along with some comments and calculations.

*[These other sheets and comments will be circulated at the meeting – PL]*

## Appendix J – Harbour Trust

*From Dr J W Lamb*

At the meeting (5th January 04) of the St Andrews Community Council a presentation was given by Mr K Sweeney a Trustee of St Andrews Harbour on developments at the harbour.

After the presentation I asked both Mr Sweeney and Ms Melville (Trust Chairperson) why the Trust's board was "proceeding to a final draft" of a Harbour Revision Order (HRO) as described in her last letter to the Scottish Executive in October 03 when there had been no prerequisite public consultation (which under DETR (Department of the Environment, Transport, and the Regions) recommendations should be one of the first steps towards an HRO with the final draft being one of the last). No substantive justification was given. This position was confirmed in a letter the harbour trust's clerk Mr I Donald sent to a colleague and fellow sailor

on 31st October 2003.

In addition the document *DETR: Modernising Trust Ports – A Guide To Good Governance* (p45 Clause 108) on community relations states “as a minimum all trusts should hold a widely and effectively advertised open annual meeting”. The last such meeting held by the Trust was in St. Andrews Sailing Club 13th March 1996.

This was put to the two Trustees Mr Sweeney and Ms Melville, who did not deny this and I asked if the trustees intended to hold annual public meetings and was told by Mr Sweeney that under the Harbours Acts they were prevented from having such meetings.

I asked the Scottish Executive Development Department (who are dealing with this Trust) what the position was on these two matters. They replied on 22nd January stating that any HRO would have to have general port users, and stakeholders support and comply with the Modernising Trust Ports principles. On the second matter of annual meeting they did not know of any such provisions in the Harbours Acts or the *Pier and Harbours Orders Confirmation (No. 1) Act 1897* that governs four harbours including St Andrews and Anstruther. Having got copies of the above Acts I (and colleagues) have also found nothing to impede an annual public meeting – are there now going to be annual public meetings by the Harbour Trust?

Upon inspection of the *Pier and Harbours Orders Confirmation (No. 1) Act 1897* the section dealing with St Andrews stated that there would be four “fishermen trustees” and five “burgh trustees” (including the chairman). These burgh trustees are

*“elected by the town council of St Andrews from among their own number”.*

Fishermen trustees are defined as

*“persons of full age resident within the burgh of St Andrews who are either*  
*1) fishermen employed or engaged in the fishery in and out of the harbour of St Andrews and who have paid rates under this order...” or*

*2) are owners or part owners in their own right of any fishing boat belonging to the harbour for which rates have been so paid”.*

The current “burgh trustees” are all Fife Councillors and two represent areas outwith St Andrews. Unless there is some other intervening factor (s). I do not see the basis for their legitimacy, as trustees under the 1897 Act – they are members of a body representing Fife not St Andrews. The Royal Burgh of St Andrews Community Council appear to have the strongest claim to elect Harbour Trustees.

In consideration of the fisherman trustees these are elected from similarly qualified fishermen, or boat (fishing licence holders) owners. Of the eight eligible voters supplied by the clerk to the Trustees from local knowledge three no longer have boats (including one who is a trustee and one who lives in Spain). Of the five remaining voters only two are full time fishermen, one is a gym teacher, one a shopkeeper. The latter two are trustees. with one full time fisherman, and one retired fisherman. On the face of it the legal basis for some of the current Board of Trustees appears tenuous.

Mr Sweeney in his presentation indicated the desire to install 45 pontoons in St Andrews Harbour and correctly said that ten to fifteen years ago there had been c. a dozen yachts in the harbour and “musters” social events, galas, occurred which no longer happens. If the Trust wishes to install pontoons it will need as Mr. Sweeney said a lot of money. Funding bodies will only give money if a need for the pontoons is demonstrated. Now nearly all the leisure sailors have gone. I know a number of these

people, and the reasons given for leaving St. Andrews were largely the poor facilities, and their lack of influence/power/priority in matters relating to the harbour which was and still is dominated by a small group of (mainly) part time fishermen.

While having no wish to harm fishermen's interests, in order to get leisure sailors back and interested in keeping their boats in St Andrews they must be given a fair degree of power and influence in harbour matters as reflects their increased economic importance to harbours formally dominated by now declining fishing activity. This is also the intention underlying the *DETR: Modernising Trust Ports – A Guide To Good Governance*.

## Appendix K – Locality Assistant

*To Keith Winter, Head of Development Service*

The Community Council would like to add its voice in support of the retention of this position. We feel that it has been a very effective addition to the resources of Fife Council and the Local Office in St Andrews.

While the position itself is worthwhile, its particular success is undoubtedly due to the hard work and enthusiasm of the incumbent, Rachel Hay, whom we commend.

## Appendix L – Twinning / Links Policy

*The following guidelines were agreed in December 2002, item 9.1.1*

Twinning requests should:

- i) come from within St Andrews.
- ii) show a suitable degree of pre-existing involvement with, and benefit to, St Andrews people (eg exchanges and other cultural involvement) with the prospective twin.
- iii) be supported by people of St Andrews – it is not a community council decision alone.
- iv) Where (ii) is not possible, due to distance or a newly established relationship CC will support cultural links programmes, which may later be the basis for a twinning in terms of (ii).

## Correspondence

Date	from	subject	pass to
03/02/04	Volunteer Development Scotland	Spectrum Newsletter	
05/02/04	Edinburgh Assoc of Community Councils	Conference: CCs & new Scottish Democracy 27/3	
05/02/04	Police	Community Newsletter Feb 02	circulate
06/02/04	East Area Services Committee	Agenda 11 Feb	
09/02/04	NHS Fife	Spiritual & Pastoral Care policy	
12/02/04	NHS Fife	Board Meeting (Cupar): GP out-of-hours	
13/02/04	Volunteer Centre Fife	Evolve Newsletter	

16/02/04	Transportation Services	Proposed Bus Shelter A91/Gateway	Planning
18/02/04	NHS Fife	Draft Local Health Plan 2004-5	
18/02/04	SEPA	SEPA View Newsletter	
19/02/04	Planning Aid	Newsletter Feb 04	
20/02/04	VONEF	Newsletter Feb 04	
20/02/04	Flora	St Andrews in Focus	
23/02/04	Ian Swankie	Accessible St Andrews	
23/02/04	Development Service	St Andrews Harbour & E. Sands development study	Planning
23/02/04	Scottish Water	Charges 2004-5	
24/02/04	Ian Swankie	Twinning	
24/02/04	Law & Administration	Community Council Showcase	
26/02/04	Mike Melville, Law & Admin	Material Interest	
26/02/04	Volunteering Fife	Volunteering Workshops in Glenrothes	

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