



Annual Newsletter - July 2024

Dear homeowner,

Your owners' committee have been busy over the last year dealing with a variety of queries. Many of the queries have required help from the Mearns East Community Council (MECC), local councillors and various services from East Renfrewshire Council (ERC), which we would like to thank.

Please note that the content of our newsletter is based on our understanding and information passed to us by the likes of MECC and ERC.

For the avoidance of doubt, we are not providing advice and are simply conveying the information we have gathered, no independent legal advice has been sought on our behalf and homeowners should seek advice if they feel necessary.

Background to Mearnskirk

For those of you new to Mearnskirk, it's probably worthwhile looking back on our history and to find out what was here in the first place.

Back in the 1930s Mearnskirk hospital was instructed to be built by Glasgow Corporation Public Health Department. Built initially as a 500 bed childrens tuberculosis hospital, over the years it's use changed several times between an emergency medical hospital during WW2, a Naval hospital, and eventually back to a civilian hospital. By the late 1980s Mearnskirk had become solely a geriatric unit.

As time passed the centralisation of Glasgow's hospital provision meant that the site of Mearnskirk hospital was sold for residential development. The site was purchased by a consortium of builders (Ambion, Bryant and Dickie) who converted some of the original buildings into flats, as well as creating several zones of new housing. This development, its common ground, and the greenbelt surrounding it, is Mearnskirk as we live in it today.

Common Ground and Greenbelt

When Mearnskirk hospital site was sold to the builders consortium in 1995, it was intended that a network of pathways and cycle routes would be developed throughout Mearnskirk and that the greenbelt land surrounding Mearnskirk would be transferred to a Greenbelt Company.

Unfortunately, the local authority at the time, when signing off the development did not enforce the transfer of the greenbelt land or for that matter check on the promised pedestrian and cycle routes.

As such, the Common Ground and the Greenbelt is still in the ownership of the builders consortium and it would appear that as 10 years has lapsed since the local authority signed off the development, they are unable to force a transfer of the greenbelt land.

Over time the original builders have either merged or no longer exist and the consortium is now made up of Stewart Milne (formerly Ambion), Taylor Wimpey (formerly Bryant) and The Crown Estate (as Dickie went into receivership).



Common Ground and Zones

The common ground and the various apartments within Mearnskirk are managed by our factor, Hacking & Paterson Management Services (HPMS).

HPMS appoint contractors to maintain grass cutting/gardening services and various other common charges, which are invoiced to owners on a quarterly basis.

In order to appropriate charges fairly throughout Mearnskirk, our estate is split into 11 zones (which you can find on our website).

In 2019, Mearnskirk Owners Association was formed in order to better represent owners when consulting with HPMS and for them to provide greater transparency in their charges and in their tendering process.

Planning Requests

In April, together with the MECC, we were invited to join a meeting with the ERC Chief Legal Officer and local councillors to discuss planning and various matters pertaining to our Mearnskirk Estate.

The meeting was very informative and some of the topics are covered below.

Homeowners need to consider impact on any common ground when applying to ERC with any planning requests.

Planning legislation contains a broad definition of development, so contact should be made with ERC to check whether planning permission is required for any particular development proposal. A building warrant is required from ERC before any building works take place.

For example, if seeking to build on common ground, the homeowner should get the permission of the building consortium as well as obtaining any necessary planning permission from ERC which is a separate matter.

Homeowner title deeds will also mention that you are not allowed to use common ground as an area for storing building materials, debris, siting a portaloo etc.

ERC reminded us that it is an offence to undertake development which is not authorised by planning permission or is considered permitted development. If development takes place without planning permission, ERC has the powers to undertake enforcement action up to and including removal of the unauthorised development. You are advised to ensure that you obtain the necessary permission before undertaking development. If development has already been undertaken, there is a procedure for applying for planning permission retrospectively, however there is no guarantee that such an application would be granted.

Enforcement action is a discretionary power and unlikely to be pursued by where it is not found to be in the public interest to do so.



Tree Preservation

Homeowners have been in touch regarding instances of trees being pruned/felled within Mearnskirk, in particular on land regarded as Common Ground.

We understand that any such work requires the appropriate permissions from (a) the owners i.e. Building Consortium for the Common Ground but more importantly (b) ERC as being responsible for Tree Preservation Orders, as all trees within Mearnskirk Common Ground have a protected status and anyone found in breach of this may be fined or prosecuted.

As well as the unnecessary removal of trees, there is also concern as to the impact of nearby trees as they may become weakened or more exposed to inclement weather.

We have raised the matter with ERC Building and Standards and are awaiting further advice.

Further information can be found at <https://eastrenfrewshire.gov.uk/tree-works>

Mearnskirk House (Former Care Home)

The open area of land to the South entrance of Mearnskirk, was previously occupied by Mearnskirk House, which was a Care Home owned by NHS Greater Glasgow and Clyde. This was sold to Dundas Estates around 2019 who proposed to develop the site for 18 detached homes.

Due to various stumbling blocks, primarily with the impact of schooling in the area, they withdrew their planning application in 2023.

To date they have informed us that they are in talks with local councillors as to how best to proceed and in the meantime will continue to maintain regular upkeep of the area.

Entrance Pillars

The pillars at the north and south entrances to the estate are clearly showing signs of wear and tear. As the pillars are on the builders consortium common ground, it is up to them to maintain them.

ERC have various environmental, health and safety rights that they can apply to Common Ground e.g. tree branches overhanging public roads, widening of pedestrian pavements, access to burns for the safety of Scottish Water, falling masonry from pillars and in such circumstances can instruct work to be carried out.

We did raise our concerns with ERC as to the state of the pillars but unfortunately in their opinion they are not in such disrepair for them to take action.

Flooding on Mearns Road

Last year serious flooding and ponding occurred on Mearns Road between the two entrances to the estate, and representation was made to ERC to see if there was a long term solution.

As the section of road was having major pipe laying work carried out by Scottish Water, it enabled ERC to survey the area and they installed a new drainage gully, which by all accounts has been a success.

As an aside, Scottish Water were also responsible for resurfacing the carriageway after the pipe laying work as it had been carried out by ERC within 3 years.



Bollards

Last year we contacted ERC as to the installation of bollards within Langrig Lane (the public footpath towards Maidenhill) with the specific purpose of ensuring that no cars can pass along the lane and our estate, as this has happened on more than one occasion.

ERC agreed to our request but unfortunately installed the bollards in such a place that vehicles could still get along the lane. We are currently in contact with ERC requesting these are moved to a more effective position.

We have had numerous reports of vehicles mounting the pavement as they enter/leave Thornhill Gardens at the Mearnskirk Road junction. At this junction high hedges on either side of the junction obscure vision and there are no raised kerbs due to traffic calming humps.

There have been instances of pedestrians almost being hit by vehicles and there is concern there will be injury to anyone, particularly children.

We raised this matter with ERC and asked if bollards could be installed at the junction due to our concerns. ERC were very quick in agreeing to our request and pleased to report that bollards were installed within the month.

Play Area Bins

Following a request at our last AGM, homeowners voted in favour of removing waste bins from the children play areas.

Despite signs, dog mess bags were being left in these bins, as well as being unpleasant, it was also potentially a health hazard for children playing in these areas. Previous removal of a bin from one of the play areas not only solved this problem and had no adverse impact on littering within the play area.

HPMS obtained estimates for the removal of the remaining 5 litter bins and were instructed to proceed with the work.

All bins have now been removed with some remedial work required. In addition, ERC Dog Warden was contacted to explain the reason behind the removal of bins and they informed us that they will check and see that there is appropriate signage in Mearnskirk regarding dog fouling and encouraged us to report any dog owner who disregards these notices.

Our Mearnskirk

Hopefully you can appreciate that we have been busy over the last year and that we try our best. We are reliant on the relevant statutory bodies such as the Community Council and the goodwill of local councillors, ERC and our open working relationship with HPMS.

Unfortunately, most issues regarding the consortium of builders are problematic and it remains difficult to get them to engage.

We would like homeowners to identify issues on which the association should focus, and in this respect, we encourage you to use the contact page on our website [here](#).



The committee is always keen to encourage homeowners to participate, and to bring new skills and points of view. We have very valued contributors who help us without being full time members of the committee.

Residents who wish to contact the committee can do so as follows:-

Website: <https://mearnskirk.org/>

or

Email: secretary@mearnskirk.org

Thank you for your ongoing support,

Mearnskirk Owners' Association Committee