

# Portmoak Community Council

Minutes of Meeting held on 9<sup>th</sup> May 2017

at Portmoak School, Kinnesswood

- 1. Attendance:** CCLrs: M Strang Steel (Chairman) B Calderwood (Deputy Chair and Treasurer); R Cairncross (Secretary); S Forde; D Morris; and T Smith; and WCLrs: Callum Purves, W Robertson and R Watters and 45 members of the public. The Chairman warmly welcomed two new ward councillors: Callum Purves and Richard Watters.

**Apologies:** CCLrs A Robertson and WCLlr M Barnacle and from Police Scotland, PC A Spalding

- 2. Approval of Previous minutes:** The Minutes of the Meeting held on 18<sup>th</sup> April 2017 were approved.

- 3. Matters Arising from Previous Minutes:**

None.

- 4. Recycling provision, Kinnesswood.** CCLlr Dave Morris confirmed that, following a joint site visit by PKC officers and himself representing the CC, the preferred site for the small recycling bottle bank was behind the bus shelter opposite Buchan's garage. Any site around the school car park was not deemed suitable. The CC recognised that, while some residents may take their bottles to banks often situated at some distance from Portmoak other relied on local access. The CC noted that Kinnesswood in Bloom had recently reviewed its position in respect of this site and now opposed it. CCLlr A Robertson would explore the matter further with KIB.

- 5. Reports**

**5.1 Police:** A written report from PC Spalding told of a vehicle left sitting broken down at Scotlandwell near Turfitt being set on fire; and £3,000 worth of damage to turf at Turfitt effected by a purple quad bike. The Area Commander's Bulletins of 19<sup>th</sup> April, 27<sup>th</sup> April and 4<sup>th</sup> May were noted.

**5.2 Treasurer:** The balance at the month ending March and also for the year end was: £199.07 in the General Account; and £739.71 in the Michael Bruce Way Account giving a total of £938.78.

**5.3 Planning:**

- 1. New applications:**

- 17/00704/FLL Portmoak Livery Stables: Removal of Condition 2, Occupancy Permission. No comment.*
- 17/00698/AML Land 49 metres SW of Caol Ila, Kinnesswood: Revised Roof Finish. No Comment.*
- 17/00646/ PN Lomondmuir Farm, Wester Balgedie, Erection of agricultural storage shed (Permitted Development). Noted*
- 17/00648/FLL Greenhead of Arnot Farm, Leslie: Formation of a Pond. No Comment. (Mr Strang Steel left the chair and took no part in the discussion of this item).*
- 17/00680/IPL Land 50 Meters South of 9 Bishop Terrace Kinnesswood: Erection of a dwelling house and formation of an access track (In Principle). The chair proposed that this matter should be considered in private session, as provided for in the constitution, but that the Council would like to hear the views of those present. This was agreed unanimously.*

The CC heard numerous comments from residents mainly from Bishop Terrace and Whitecraigs indicating that they objected to this application. Some maintained that they had been misled and that were the 2015 Ballot to be held now some of them would vote differently. The principal contention was that with consent for and completion of 9 houses in phase 2 of Whitecraigs, transfer of the entire 7.2 hectares field to the CC should have been effected without the need for a tenth house on a "retained plot." Amongst many concerns expressed by residents were that such a plot was an intrusion into the integrity of the field, was disproportionately large for a single house, was outside the village boundary in the current development plan, would interfere with hill views could compromise wild life and would impact on paths within the proposed development area.

Residents present strongly endorsed an outcome where the Field passed to the ownership of the CC.

In response to points made by members of the public WCllr Robertson made some concluding remarks:

- Stephens had tried previously, to secure planning permission for this house. They had been refused both by PKC and on appeal.
- Those who were unhappy with the proposal should lodge an objection.
- The current value of the land, without planning approval for a house, is very low as it is classified as uncultivated hill land of limited agricultural value.
- If planning approval for a house is refused Stephens may be prepared to transfer the whole field anyway, which would be a win/win situation

The Chairman explained that the CC had entered into a formal contract with A & J Stephen Ltd in September 2008. The contract stipulated that, were planning consent for ten houses to be granted, then the 7.2 hectare Field (less a retained plot adjacent to Bishop Terrace of 0.8 hectares) would transfer to CC ownership together with a £5,000 endowment and cover for legal fees. The developer maintained that it met the developer requirement of the 2004 Local Plan in respect of Whitecraigs phase 2. This stipulated "*development of community use of adjacent land owned by the developer.*" A&J Stephen had built nine houses on Whitecraigs and now wanted to build a tenth on the retained plot. A ballot on the views of the community as to how the CC should react to this was held in May 2015. In that ballot the vast majority of the residents who had voted, had voted in support of the statement that the CC should "*actively support the obtaining of planning permission for one house on the retained plot...*" Subsequent meetings with A & J Stephen had awaited their decision to proceed with a planning application.

f) *Advance notice new path Heritage Trail to Loch Leven's Larder.* The CC would write in support of this new path.

## 2. Progress with Developments:

- a) *Westfield Restoration and Regeneration Project, Fife (16/03661/EIA).* The CC had been notified by Axis (agents representing the Developer Hargreaves) who now wish directly to consult with the CC and to ensure that it is given a specific opportunity to express and discuss its views. In due course this would provide a supplement to their Pre-Application Consultation Report to Fife Council. The CC welcomes this approach and will explore with Axis its preference that such a meeting should be open to the public.
- b) *Former Lomond Inn: proposals for part demolition and erection of 5 dwelling houses (16/03661/CON).* There was concern about the stability of the remaining shell of the old Inn. While the CC had been assured that the shell of the Inn was safe, further progress

would depend on whether the current planning consent to preserve the Inn would remain or whether a new application to replace it would be made.

- c) *Development at Glenlomond – proposals to build 13 houses (16/00751/FLL)*. Full planning consent had now been granted. Prior to any new building passing places on the road between Wester Balgedie and Glenlomond would be commissioned. Arrangements to complete final downtakings were in hand.

**5.4 Roads:** Councillor Bruce Calderwood reported that with the hiatus over the Council elections it had proved difficult to progress matters. He would now renew efforts. Baseline data for HGV movements along the B9097 were now being sought in relation to the Westfield Regeneration Project.

**5.5 Paths:** Councillor Tom Smith reported that with the better weather an active programme of path maintenance was under way. A contract to cut the Peat Loan had been secured.

- 6. PAK Ward Cllr Reports:** Ward Cllrs reported that it was early days and that they were currently following an induction programme. Around half the Council were now new members. Arrangements were underway to determine the composition of the new administration. It was hoped that the new Council would redress the balance of the previous Council which had appeared to be officer-led.

- 7. Matters previously notified to the Secretary plus matters raised from the floor:**

**7.1 Portmoak Moss Road Access, Scotlandwell - car park.** The CC had been awarded a grant of £1,500 from the Kinross Newsletter Fund to secure ownership of the car park on the access road to Portmoak Moss. The CC is grateful to the Fund for its support. Further funding is now being sought to enable refurbishment of the car park

**7.2 Lets Talk about Health and Care in PKC.** This major reform to the provisions for health and social care is now underway. The views of the wider public are now sought with an opportunity to come to an open event: Kinross Day Centre Tuesday 23<sup>rd</sup> May 2pm to 4pm.

**7.3 Scale of Fees.** PKC had circulated a revised scale of fees for planning applications.

**7.4 Potential for Cross Kinross-shire Survey.** The CC had received an invitation from the Vice Chair of Kinross Community Council to participate in a cross Kinross-shire survey. It will respond offering to participate.

- 8. AOCB: None.**

- 9. Date of next meeting:** The next meeting of Portmoak Community Council will be held at **7.00pm on Tuesday 13th June 2017** in Portmoak School Kinnesswood. The Chairman thanked everyone for their attendance and the Meeting closed at 8.55pm.

# Portmoak Community Council

## Draft Minutes of AGM held on Tuesday 9<sup>th</sup> May 2017 at Portmoak Primary School

- 1. Attendance:** Cllrs: M Strang Steel (Chairman) B Calderwood (Deputy Chair and Treasurer); R Cairncross (Secretary); S Forde; D Morris; and T Smith: and WCllrs: Callum Purves, W Robertson and R Watters and 45 members of the public. The Chairman warmly welcomed two new ward councillors: Callum Purves and Richard Watters.

**Apologies:** Cllrs A Robertson and WCllr M Barnacle

- 6. Approval of Previous minutes:** The Minutes of the Meeting held on 10<sup>th</sup> May 2016 were approved.
- 7. Matters Arising from Previous Minutes:**

None.

- 8. Chairman's Annual Report. The CC received the Chairman's Report for 2017:**

Last year it was my happy duty to welcome among other new members of the CC, Chris Vlasto. Today it is my sad duty to report his death, leaving us with a vacancy. Chris contributed greatly during his short term of office, not only in council meetings and the correspondence which occurs between meetings, but also as an active member of the paths group. He will be a hard act to follow but if anyone thinks that they might be interested in taking his place on the Council, please let me know.

I should also pay tribute to the four ward councillors who have attended our meetings as ex officio members, albeit without a vote, over the last four years. My thanks are due to them for their wise counsel and active lobbying in PKC on our behalf. It is not their fault that their lobbying meets with mixed results; but I do hope that the new PKC councillors can collectively have some effect in changing the culture in PKC to recognise that it is there to serve the community and not to treat it as an interfering nuisance as quite often appears to be the case. I know that we have one new ward councillor, who I hope is with us this evening, but at the time of writing polling is still going on and there may be others new to the job. Whoever they are they are welcome and I hope they will enjoy the experience of being members of Portmoak Community Council.

The steady flow of consultation papers continued this year. There were eight in all, varying from proposals to install traffic lights in Kinnesswood and Scotlandwell (a dead duck in the light of the responses received) to the Scottish government's consultation on People Places and Planning. The latter will be important in the long term; its proposals if brought into effect will result in a lot more work for community councils in, for example, preparing community plans for integration into the local development plan. SSE's invitation to seek funding from their resilient communities fund has made us wonder if Portmoak is as resilient a community as it should be and investigate the desirability of having an emergency plan to cope with a major catastrophe. Edinburgh Airport consulted on new

approach routes for landing aircraft and you will be glad to know that their latest thinking is not to route them over us.

Not a consultation, but we were encouraged to use the experimental Place Standard tool to help us with assessing how well we meet our constituents' needs. Alison Robertson kindly undertook to take soundings from various organisations in the parish; some of you will have taken part. I think it was not a surprise that public transport and roads were the principal concerns and a copy of the result has been circulated widely in PKC. The Transport Department has recognised that there is an issue and have offered a meeting. My thanks to Alison for spending so much time on this and collating all the responses.

The heading of Roads covers a disparate selection of topics. Positive actions are the commencement of procedures for designating the Dryside road as a green route with 20mph limits in Wester Balgedie and past Glenlomond, and an Action Plan for the B9097, which includes the completion of the resurfacing. I regret to say that there has been less progress on other aspects. We are told that there is now to be an action plan for the A911. That may assist with 20MPH limits in Kinnesswood, Scotlandwell and Easter Balgedie which ran into a brick wall, but that may change with a new set of councillors; also with discouragement of through HGV traffic and with improving the route for pedestrians between Scotlandwell and the church. We look to the Ward Councillors to put their backs into these matters. They have all been the subject of a comprehensive letter to the roads department, which met with a pretty unsatisfactory response. Car parking in the two main villages is a matter of continuing concern, and especially that near the school during dropping off and pick up times.

We have tried to become involved with the management of Loch Leven in which we have a considerable interest, not just because of the Heritage Trail, but also because we have a better view of it than anywhere else, except for Kinross House! We met with the River Leven Trustees who control the sluices for the benefit of the three remaining businesses that use the water in the River Leven. The predominant one is the Cameron Bridge Distillery, which is a huge industrial complex. It is disappointing that the trustees have not taken up our invitation to make a presentation to us. Nor, so far, have we been invited to any of the consultations which they have with different groups from time to time. We have had a more positive meeting with Scottish National Heritage and anticipate being invited to join the leisure and recreation group with whom they consult. Their management plan for the next five years has just been released.

We are statutory consultees for all planning applications in the parish. We have considered forty in the year, up from 32 in the previous year. We objected to four. These applications cover twenty brand new houses, classed as 'windfall' by PKC and thus not taken into account in their forward planning. Two particular applications were undecided at this time last year, the Glenlomond hospital site, for which formal permission has just been issued, and the Lomond Inn. Permission for the redevelopment of this site is to be given but the formal documentation has not been completed. In the meantime

demolitions have had permission and have gone ahead, but there is concern about the stability of the original Inn, which was to be preserved.

This year we have two major planning applications in neighbouring parishes which will affect us if the proposed developments go ahead. The first is for a major development including a recycling plant at Westfield. The road traffic in and out is to use the B9097 (which was constructed in its present form to serve Westfield when it was a coalmine) with a consequent vast increase in HGV traffic. We have objected and so to their credit have PKC. That is important because they can require the decision to be referred to Scottish Ministers. This is not a matter which will be decided quickly and may well still be running next year. The other is a proposal for holiday chalets, visitor centre, recreational facilities, car park, café etc. between Burleigh Castle and the loch shore. This is at the pre-application stage, so it is difficult to ascertain exactly what is proposed. We should learn more at the next meeting when a representative of the applicants' agents come to talk to us.

Tom Smith has continued to lead the paths group. They have carried out further repair and improvement work on the Michael Bruce Way; this is likely to be a regular task. We had hoped that a route for a path from the Heritage Trail to Lochend via Levenmouth was agreed but we have recently learned that that is not the case, so we shall need to go back to the drawing board. We learnt recently of a proposed new path at Channel Farm, to create a circuit at Loch Leven's Larder from the Heritage Trail

Some of you will have been present at the Hustings we arranged to enable the public to question the candidates for the local authority election. It was ably chaired by Louise Batchelor, sound relayed by courtesy of David Batchelor, and I think both public and candidates found it a useful exercise. It is certainly worth repeating in four years' time.

The police have resumed attendance at our meetings, and their presence is welcomed. It is good that two PCs with local knowledge are now based in Kinross.

I must mention our dealings with A & J Stephen. They are not the best of correspondents but we did manage to have a meeting with them last September. There are three issues. First of all the state of the landscape areas in phase 1 of the Whitecraigs development. Stephens stated that they would be put into a condition in which PKC would take over the maintenance obligation, probably this spring subject to certain negotiations. That has not happened. It is regrettable, but understandable, that a certain amount of self-help has taken place. Next the path along the boundary with the golf course, which Stephens wish to transfer to the CC with Stephens Field. We advised them that we would not take it over until certain work had been done; there has been no action, other, again, than some self-help. Lastly Stephens Field. Stephen's interpretation of the contract we have with them is that it is conditional on their getting planning permission for ten houses; they have it for nine in phase three of Whitecraigs, and the tenth, they say, was to be a house on the site they wish to retain next to Bishop Terrace. They have now lodged a planning application

for the site. In a ballot of the parish in May 2015 a considerable majority of the respondents voted that the CC should support such an application. If the application is granted we can anticipate, nine years on, taking over Stephens Field.

As you may know, there are now four superfast broadband cabinets in the parish with another on its way in Wester Balgedie. It would be useful to have reports as to how well it operates. I am told, for example that in my neighbourhood signing up for superfast broadband produces limited improvement; we are too far from a cabinet. Other initiatives are taking place elsewhere in the county which may be able to help us.

It is perhaps appropriate that the last thing I have to report concerns the cemetery. There is only one available lair left and PKC have been looking at how to make more provision available in the parish. They have identified a site next to the graveyard, which is ideal, apart from the access. Negotiations are in progress. Other parishes are almost as critically short of space as we are.

I would like to thank my fellow councillors for their support through the year and the considerable amount of work they undertake for the benefit of the parish. I do not think any of the others will take offence if I single out Robin Cairncross for special mention. As secretary, the burden of coordination, preparation of meetings, minutes and all the other admin falls on him. It would be true to say that without his efforts we would not be the council we are.

Malcolm Strang Steel

**9. Treasurer's Annual Report.** The Treasurer reported that at the year-end there was: £199.07 in the General Account; and £739.71 in the Michael Bruce Way Account giving a total of £938.78.

#### **10. Approval of Annual Accounts**

The accounts for the year to 31 March 2017 had been subject to independent examination and as such submitted for approval by the Community Council prior to their submission to Perth & Kinross Council. The accounts were duly approved by the CC and the Treasurer instructed to submit them to Perth and Kinross Council and to obtain the funding grant for the year to March 2018.

The full Income and Expenditure of the CC's accounts can be found on the CC website.

#### **11. Office Bearers for 2016-17**

The following office bearers were appointed for the year 2016-17:

Chairman: CClr M Strang Steel

*Proposed by CClr S Forde and Seconded by CClr T Smith.*

Secretary: CClr R Cairncross

*Proposed by CClr M Strang Steel and Seconded by CClr S Forde.*

Treasurer: CClr B Calderwood

*Proposed by CClr M Strang Steel and Seconded by CClr T Smith*

Deputy Chairman: B Calderwood

*Proposed by CClr M Strang Steel and Seconded by CClr D Morris*

**7. Date of next AGM:** 7.00pm on Tuesday 8th May 2018 at Portmoak Primary School

The Deputy Chair thanked everyone for their attendance and the meeting closed at 7.15 pm.