

Portmoak Community Council

Draft Minutes of Meeting held on 13th June 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, A Robertson, and T Smith and WCllrs: M Barnacle, Callum Purves, W Robertson and R Watters and 19 members of the public.

The Chairman warmly welcomed a new community councillor: Andrew Muszynski. In referring to the documentation that would shortly be sent to him from PKC he signalled out the importance of the Code of Conduct for Community Councillors referring in particular to the requirement for objectivity.

Apologies: Police Scotland, PC D Stapleton.

2. **Westfield Opencast Site - Restoration and Regeneration Project (Fife 16/03661/EIA).** Presentation by applicant Hargreaves Services (Westfield) Ltd and their agent Axis Planning. Implications for B9097 designated as sole access route to site - including consequential increased HGV usage.

The Chairman welcomed Mr Nick Roberts of Axis Planning and Mr Phil Rayson of Hargreaves Services (Westfield) Ltd.

Key points from Hargreaves/Axis Presentation:

- This was a complex project with more than 30 specialists from more than dozen disciplines working on it.
- Apology that the CC had not been directly consulted (as it should have been) in the Pre-Application consultation last year.
- A wish now to consult with and to respond to comments on matters raised by the CC.
- This had been one of the largest open-cast coal mine sites in Europe. Coal mining ceased in 1998. Since then there had been various owners with Hargreaves purchasing it in 2012.
- When completed it will be a complex and large development. The site covers 428ha.
- In addition to the waste processing there will be glasshouses and solar panels and a number of autonomous industrial units. This is positive for the economy and employment. Under the Fife Local Plan it could include category 6 industries which would add to HGVs. Such industries are not part of the current Plan.
- The B9097 road network has the capacity to accommodate this. Fife Council has stated this is the only acceptable route into the site specifically for HGVs. It would not contribute to road improvements in the PKC area.
- There are only 10 residences along the route.
- They have quoted a worst case scenario for HGVs. There is no guarantee that this will be attained.
- There is already a biomass boiler facility on site operated by Melton Renewable Energy UK and planning permission for a further biomass boiler facility onsite although Hargreaves doubt if it will ever be built as the planning permission runs out later this year and the lease in two years' time. While these are part of the overall plan, they are not the responsibility of Hargreaves. Allowances, however, have been made for them in the traffic calculations.

- They are content that SNH and SEPA are happy with their plans.
- They recognise the CC is concerned with waste, hours of transit of HGVs, rail contribution to transport and provisions for walking and cycling.
- The waste facility will cover only 10ha of the 428ha
- Because of the diversity of goods carried it is not possible to limit tonnage carried though it could be possible to limit numbers of vehicles.
- The maximum amount of waste that the site could process is 350,000 tons; a more likely amount to be processed is 250,000 tons.
- A restriction on the hours for HGV transits to 0600am to 07.00pm would be acceptable.
- The scheme includes substantial environmental and recreational proposals including the making of paths within the development area. The carrying out of these proposals would commence as soon as the foundations for the waste disposal plant were commenced.
- Rail has never been planned as means of transporting waste. The Scottish rail infrastructure is not suitable. Network Rail would not support the opening of the rail link without a substantial customer with a specific need for a rail link. Hargreaves has been in discussion with two such organisations.
- HGV usage (numbers) is thought to be as a worst case scenario:
 - Waste 109 in and 109 out
 - Employed units 109 in and 110 out
 - Ash 32 in and 32 out
 - Other 4 in and 4 out
 - **TOTAL 254 in and 255 out**
- HGVs will have a 20 tonne payload at least but no upper limit on HGV waste carried was quoted.
- This is a balance: some disadvantages (mainly along the B9097) against many economic and employment advantages.

Key Points raised in Discussion

- What is the HGV contribution that is not due to waste? Hargreaves stated that once the go ahead is achieved for the waste processing plant that would in turn trigger immediate development of the rest of the site with an investment in solar panels, glasshouses etc. and of course attracting other industries to the service plots. There was a worst case scenario with 510 HGVs and of that some 300 may come from other non-waste processing. However there would be no control of tenant HGV usage so the so long term HGV estimates would be uncertain.
- Where will the waste come from? Hargreaves estimated that 50% will come from Fife and 50% from the “market” which could mean across Scotland – PKC may be a customer!
- There is conflicting data in respect of the current “baseline” usage of HGVs along the B9097. Hargreaves had not seen the PKC comprehensive PKC data and disputed the PKC information that was available in the 2016 B9097 Action Plan where the number of HGVs was believed to be in the order of 50 per day. Hargreaves thought that too low. It could be that what Hargreaves refers to as an HGV (everything over 3.5 tonnes) was not what PKC had applied when identifying an HGV. In their response to PKC Hargreaves had quoted from their own

Environment Statement of 2016 that, without the proposed development, there would be 1,032 HGVs per 12 hour day. Hargreaves agreed that this matter needed to be resolved and would be willing to do that in discussions with Fife Council, PKC and Portmoak Community Council. Hargreaves also confirmed that HGVs transferring waste would have a payload of not less than 20 tonnes and would probably be articulated.

- Hargreaves maintained that the measured impact on vibration, noise and pollution for those living along the B9097 when the scheme was fully implemented would be minimal. The CC believed that that would be a judgement conditioned by what is the agreed baseline.
- The CC believed that the volume of traffic would be intimidating in itself and would make it unattractive for various activities. Farms with land on both sides of the road would have increased difficulty both in relation to cattle movements and farm vehicle use across and along sections of the B9097. There were also concerns that those using the Heritage Trail which closely followed the B9097 for some distance would be much more aware of traffic noise. The B9097 was already not pedestrian or cyclist friendly due to present traffic levels and speeds. The substantial increase in traffic, notably HGVs, would make their position untenable indicating a need for off-road path provision for non-motorised users. This was an important tourist area with facilities at RSPB and at Findatie which should be safeguarded. Hargreaves agreed to discuss further what might be done to mitigate the impact of increased traffic. It intended to prepare a “green travel plan” but this would not include off-site provision or greenways for pedestrians and cyclists.
- Hargreaves confirmed that SNH and SEPA were content that there would be no adverse impact on the natural environment if the full scheme were to be implemented, as the anticipated noise levels and air quality would be acceptable in accordance with national guidelines.
- Would the Scottish Government be prepared to support the opening on the railhead into the site? Hargreaves thought not. Network Rail could itself provide funding but would not do so if there was not a credible customer to justify the investment.
- WCllr M Barnacle confirmed that PKC were preparing a further response to the dismissal by Hargreaves of the PKC’s original objection.
- A resident living by the road believed that that the approach to estimating impact by extrapolating it from peak hour samples was flawed.
- A resident questioned whether there had been sufficient investigation into alternative routes into the site. Further, in a previous inquiry to a similar proposal the Reporter had determined that a proportion of waste had to go by rail. Hargreaves confirmed that the B9097 was the route advocated by Fife Council as the sole route into the site for HGVs and that, further, rail was not was not an appropriate means to transport waste. The inquiry had been into a proposal for landfill, and was different.
- The question of establishing a “community fund” to help mitigate the impact of traffic along the B9097 was raised. It could be akin to many such funds across Scotland that have been established as a consequence of a range of renewable energy endeavours. Hargreaves confirmed that there were no plans for this but that the matter could be explored.
- In summing up Hargreaves stated that the funds for this development were limited and that as a consequence alternatives to the scheme presented were also limited. It would be a balance: on the one hand the considerable economic and employment benefits versus the “disbenefits” for those who use or live by the B9097. In response the Chairman indicated that we looked forward to further dialogue on the matters raised.

The Chairman warmly thanked both Mr Roberts and Mr Rayson.

3. Approval of Previous minutes: The Minutes of the Business Meeting held in private on 15th May 2017 in accordance with Para 11(h) of its constitution were approved.

4. Matters Arising from Previous Minutes:

4. Meeting with John Stephen, 5. Supporting Statement to planning application 17/00680IPL and 7. Meeting with Perth and Kinross Council.

The CC noted that 58 letters of objection had been submitted. It was also noted that a Supporting Statement from A & J Stephen providing supplementary information had been emailed to the CC Chairman just hours before the deadline for submissions from the general public on 19 May. CC members were only circulated with this information on 22 May. This Supporting Statement made reference to Local Plan policies and was potentially of significance in the determination of the planning application. This unusual action by the developer had been discussed at the meeting between the CC and PKC on 23 May with conclusions reported in the minutes of the CC's private business meeting of 29 May. PKC had received the Supporting Statement at the same time as the CC and it had not as yet appeared on the PKC website. The CC had agreed that no action would be taken pending a response from both A & J Stephen and Perth and Kinross Council to a number of matters raised including that of the Supporting Statement. No response had as yet been received from either party.

The CC noted that, despite the matter being raised by the CC with John Stephen, delay in finalising the lease of land to Kinnesswood in Bloom continued.

The CC noted concerns of a resident as to the accuracy of the adopted Minute of the CC meeting of 9th May. The resident was invited to contact the Chairman so that the matter could be explored.

5. Recycling provision, Kinnesswood. The proposal to site the recycling facility behind the bus shelter remained to be confirmed. Ward Councillor M Barnacle would take the matter forward.

6. Reports

6.1 Police: A written report from PC D Stapleton told of car number plates removed from a vehicle in Scotlandwell and of a road traffic collision at the airfield. The Area Commander's Bulletins of 11th May, 18th May, 25th May, 1st June and 7th June were noted.

6.2 Treasurer: Report for the months of April and May 2017. The balance at the month ending 31st May: was £196.97 in the General Account; and £695.73 in the Michael Bruce Way Account giving a total of £892.70.

6.3 Planning:

1. New applications:

a) *17/00658/FLL* Land 100m north of 3 Middleburn Cottages, Cardenden. Change of use from agricultural land to equestrian centre (in retrospect). The CC would record no objection but would observe that there appeared to have been no application for the stable buildings which had apparently been put up as part of the change of use.

2. Progress with Developments:

a) *Remove condition 2 (visibility splays) (14/01482/FLL) the erection of a dwelling house at 50 metres SE of Moucums View, Leslie, Road Scotlandwell and (16/00680/FLL).* The CC noted that these proposals now had the full support from the PKC Transport Department. Accordingly it agreed to withdraw its objection.

b) *Former Lomond Inn: proposals for part demolition and erection of 5 dwelling houses (16/03661/CON).* No Progress.

c) *Development at Glenlomond – proposals to build 13 houses (16/00751/FLL).* No progress.

6.4 **Roads:** Cllr Bruce Calderwood reported that an updated Roads Report would follow shortly. There was concern at the quality and standard of recent resurfacing to the B9097. The matter would be pursued by WClr Willie Robertson. The CC note that PKC were reviewing arrangements to trim growth at road junctions where it was plain that it was a safety hazard.

6.5 **Paths:** Cllr Tom Smith reported that Monday evening “turn-outs” had been encouraging and considerable work had been achieved. School children from Kinross had recently been invited to be involved in different activities - including cutting bracken - and the Greenspace Ranger had provided replacement marker posts for the Michael Bruce Way.

6. PKC Ward Cllr Reports:

WClr Willie Robertson raised the matter of seeking an embargo from PKC on all further large scale housing developments across Milnathort and Kinross until Junction 7 had been fully upgraded to a four-way junction. The CC agreed to write in support of this proposal.

WClr Mike Barnacle reported that the “Tay Cities Deal” could provide funding for the upgrade of Junction 7 and that there would be little affordable housing in rural areas in the next 10 years.

WClr Callum Purves reported that the new administration had revised down the depth of a recognised pothole requiring attention from 60mm to 40mm.

7. Matters previously notified to the Secretary plus matters raised from the floor: None.

8. AOCB: None.

9. Date of next meeting: The next meeting of Portmoak Community Council will be held at **7.00pm on Tuesday 11th July 2017** in Portmoak Village Hall, Scotlandwell. The Chairman thanked everyone for their attendance and the Meeting closed at 9.00pm.