

# Portmoak Community Council

## Notice of Meeting & Community Council

Tuesday 12 April 2022, 1930 – 2100hrs

Online meeting via Zoom

(request Zoom meeting details via email to [Secretary@Portmoak.org](mailto:Secretary@Portmoak.org))

### AGENDA

- 1. Attendance & Apologies:** WCllrs CPurves, RWatters, and WRobertson; Cllrs: AMiller (Chair), DMorris (Vice-Chair), SMcGregor (Secretary), KDonaldson, SForde, and DPaterson. Plus 4 members of public.  
**Apologies:** Cllrs ADAvidson (Treasurer), and GSmith.
- 2. Comments and Approval of previous Minutes from meeting on 8 March 2022:**  
**SMcGregor:** Correction to Minutes of PCC 08/03/22 meeting stated “DMorris: correction regarding the Bowhouse Bus Laybys, minutes state “, RTK original developers were to install a bus layby on the West bound side of the A911”, this should East bound side.” A subsequent note from resident of Bowhouse suggested the intended lay-by location was in fact East-bound. Secretary notes that on checking PKC Planning Ref# 07/02217/FUL for the original application at this location, the Decision Notice on 07/02/08 point#10 states bus lay-bys to be built on *both* sides of the A911.  
**DMorris:** proposed a request from PCC to PKC Planning to maintain the motion to create a bus layby as stated in recent PKC Planning Ref# 20/00231/FLL Decision Notice dated 04/08/20 point#9. PCC Member agreed this request. **ACTION:** Secretary: to notify PKC Planning of this request from PCC.  
**Proposed & Seconded:** SForde proposed; K Donaldson seconded.
- 3. Matters arising from Previous Minutes:**  
**Item 1 Kinross-shire Committee (KC) – update.** The intended meeting of KC had been delayed, and the Chair explained there was therefore little movement to report. The Chair expressed dissatisfaction regarding timing of afternoon meetings which are untimely for KC representatives who work full or part-time. Distribution of minutes, only released immediately before the next meeting, is unsatisfactory in terms of making decisions and informing and consulting community prior to the next meeting. WCllr CPurves agreed these points were valid, pointing out the KC is in a Pilot phase and some procedural elements may need to be sorted out. The Minutes procedure was standard for council meetings, but this did not mean that the KC had to follow the same process. Meeting times could be changed to be more work-friendly. The intended process is to get advance notice of KC meeting agenda so that the CCs can discuss agenda items at the local CC meetings. CPurves emphasised the need to focus on the benefit of having these KC devolved powers, rather than the protocol, while the pilot is developed, as having the devolved powers and representation is a positive for the Communities. The Chair and CC Members agreed as to the benefit of devolved powers, though there was initial frustration at the current processes. WCllr CPurves highlighted that there will be a formal external evaluation of the KC pilot. WCllr WRobertson voiced his agreement with CPurves of the need to focus on the benefits of the KC and trying to make the pilot work. Cllr DMorris suggested the KC meeting dates should be formalised for the forthcoming 12 months in advance. CPurves confirmed meeting dates were discussed at the last meeting, and PKC will have KC meetings diarised in the future.  
**Item 2 Road Safety Action Update:** There was a discussion about the route action plan on which WCllr WRobertson noted the speed monitoring points along the A911 that were collating data for the route action plan, and that process seemed to be moving forward behind the scenes. PCC members from Scotlandwell highlighted excessive traffic speeds leaving Scotlandwell along The Causeway. In response WCllr WRobertson noted a previous request to PKC to relocate speed cushions lifted from Kinnesswood to the end of Causeway in Scotlandwell. AMiller noted a comment emailed to PCC from a resident as to the inefficacy of the changing speed signs. A Member of the Public flagged a number of informal 30mph signs that had appeared through in WBalgedie and the non-concurrent painted road signage not matching the roundels. WCllr CPurves explained that during the pandemic, policy for “Spaces for People” enable fast but temporary changes to speed limits, and while the

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changes had been made permanent there was still a lag in correcting the road painting. **ACTION:** Secretary to highlight to PKC the speed limit conflict of painted road signage vs. roundels

**Item 3 Glenlomond sewage, and Water Supply to Glenlomond and Wester Balgedie:** The Treasurer had provided a report in advance of the meeting: a new contractor had been appointed to maintain the sewage works and this appointment was working well, however, the long term aim is still to get Scottish Water to take over responsibility for the Glenlomond sewage system. There was no update on FOI requests made to Scottish Water or PKC.

**Item 4 Glenlomond tree felling & clearing at entrance to village:** Again the Treasurer had provided a report in advance of the meeting: on this matter there was no change onsite and no update over the last month.

**Item 5 Scotlandwell to Portmoak Church Path:** PCC members were to meet on 13/04/22 to walk and discuss routes for path and decide a “best route” for the feasibility study, this would be a PCC meeting and not a public. WCllr WRobertson suggested that in agreeing a “best route” the report should include land owners and likely attitude to the path going through their land. Cllr DMorris disagreed that the landowners should be considered, and that the “best route” should be the best one for the Community with compulsory purchase legislation used as necessary to obtain land. There was a discussion regarding ScotGov current Compulsory Purchase legislation and if it was fit for purpose. WCllr WRobertson advised that while PCC could approach the route plan as they saw fit, but that those path requests where the routes were contentious and where PKC did not own land were the most difficult and costly ones to create. WCllr RWatters confirmed PKC’s hesitancy to use compulsory purchase orders, but one instance where they had been used was in the creation of the much needed Comrie to St Fillans footpath. Cllr DMorris commented that compulsory purchase powers can have a leverage effect on landowners to cooperate with Councils to enable paths. Cllr SForde commented that the Scotlandwell to Portmoak Church Path was not just a leisure path, but a path to connect communities and safely allow Scotlandwell residents to get to the Portmoak Hall, the church, the graveyard, or to enable families to safely travel by foot or bicycle to Portmoak Primary School. Also the existing path was not accessible for mobility scooters. A member of the public who had architectural expertise offered help in creating a CAD map of the best route for Sustrans, and PCC are grateful for this offer of help.

**ACTION:** PCC to meeting on 13/04/22 and identify best route for path.

**Item 6: Wester Balgedie Farm development – correspondence to PCC from Developer:** The Secretary had followed up with the Developer but no date had as yet been identified for a pre-planning Community Liaison meeting regarding the farm development. The Developer had commented on the minutes of PCC meeting on 08/03/22, in which the Treasurer had highlighted damage to old walls and pre-planning tree felling in a Conservation Area and photos of which had been sent to PKC Planning Enforcement. The Developer asserted no such damage had taken place.

**Item 7: Core Path signage on MTHT/126, MTHT/127 and PTMK/115:** Regarding MTHT/126, MTHT/127 Arlary to Orwell paths. WCllr WRobertson updated: Dave Stubbs had written to the landowner on the issue of reinstating the path following ploughing, but had not received a response. DStubbs had suggested that a stronger worded letter could be sent. Cllr DMorris highlighted that to plough up and not restore a Core Path is a criminal offence, and this action could be reported to the police. The Chair suggested WCllrs could request DStubbs to escalate to the police. WCllr WRobertson offered to arrange a negotiation with the landowner and PCC members to resolve the issue. Cllr DMorris accepted this possibility for a tri-partite agreement process towards the path reinstatement. **ACTION:** DMorris to discuss with WRobertson in June22

#### 4. New Matters arising:

Item1: Cllr SForde had highlighted the need to upgrade the play facilities at Scotlandwell Green, commenting that the play area in Kinnesswood had been upgraded, but those for Scotlandwell had not. While some upgrades and improvements had been promised, nothing had been actioned. Due to the difficulties of walking from the village and the unsuitability of the A911 footpath for pushchairs and walking with children to go to the Kinnesswood play park, the local play areas in Scotlandwell were important. The Chair raised issue of scheduling regular grass cutting. **ACTION:** WCllr WRobertson to write to PKC requesting an update on provision for new equipment in Scotlandwell and raise item of regular grass cutting with PKC.

#### 5. Reports:

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- a. Police Reports:** There was no police report provided in advance of the meeting
- a. Police Community Liaison officer change: PCC Ashley Mitchinson was leaving her post as Community Liaison Officer. Another officer would be appointed, but PCC Mitchinson had apologised for any inconvenience in the interim.

**b. Planning**

(1) New Applications:

- (a) 22/00396/FLL: Alterations and extension to outbuilding to form ancillary accommodation: Hill Cottage Main Street Kinnesswood Kinross KY13 9HN  
No comment

(2) Existing Applications:

- (a) 21/00997/FLL | Erection of 22 dwellinghouses, 3 garages and a garage with ancillary accommodation, formation of SUDS pond, landscaping and associated works (LDP site H54) | Land 100 Metres South East Of Cragton Villa Rost Gardens Scotlandwell. Included for updates only. The Secretary had received an email from Ardbeg Homes for a provisionally booked Community Liaison meeting. Secretary to circulate email to PCC members.

(b) Planning Decisions

- (a) Progress with Developments: Westfield Community Liaison Committee: Cllr KDonaldson updated on the work that was currently taking place. Also commented on the excessive speed of the large lorries on the road, and mud being carried onto the road from the site. A resident had emailed PCC asking if it were possible for other residents to attend the Community Liaison meetings. Cllr DMorris explained that liaison meetings allow for only one representative from each CC to attend.

**6. Paths Group update:** Cllr DMorris updated on behalf of Anne MacIntrye: the Paths Group had been very busy clearing vegetation. The Group are keen to have other volunteers to come forward and help with work to help keep the lovely local walking paths clear. The team work once a week and drop in volunteers would be welcome.

**7. Treasurer CC Accounts:** The Treasurer had provided an update: there was no movement on the PCC or Michael Bruce Way accounts in the past month. Confirmation from the Credit Union on the new account set up was still pending.

**8. Ward Councillors' Reports:**

**WRobertson:** Prior to the forthcoming elections PKC departments are still operating but are in a period of quiet so few committee meetings are currently being held. The KC meeting on 21/04/22 is the last meeting, and the last full PKC meeting will be held on the 27/04/22.

**RWatters:** Highlighted the Pavement Parking Bill which will come into enforcement nationwide probably late in 2023. PKC are already making provision for this and asking for problem areas to be highlighted. If anyone notices any problem areas they can get in touch with one of the local WCllrs for escalation to PKC ('phone numbers and email addresses in Kinross Newsletter). WCllr RWatters expressed concern about the current financial difficulties for many people, commenting that in areas that may seem affluent, people are still experiencing difficulties and may additionally find it embarrassing to come forward to ask for help. Broke not Broken and PKC are available to provide assistance and should individuals need help they should not hesitate to do so. Anyone in need can also contact PCC confidentially who will field their case to the right groups. Donations to the Food Bank can be made to Broke not Broken at Sainsbury, Kinross.

**CPurves:** CPurves also thanked the current and past members of CC for their help and cooperation over last 5 years, as he steps away from his role as a WCllr. Hoped that people can continue to work together. The Chair also expressed thanks on behalf of all PCC to WCllr CPurves for all his hard work assisting PCC over the years. WCllr DMorris also noted the PCC thanks to all the WCllrs for their work with PCC, and particularly to Mike Barnacle who was retiring.

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## 9. Matters notified to the Secretary:

*Item1: Road closure of B919 – Balgedie Toll to Mawcarse effective from the 12/04/22 for two weeks.* The road works had commenced. There is access to properties but access through the road. The roadworks will proceed along the B919 and access only from either end will continue.

## 10. AOB

**Item 1 Council Elections Hustings:** Cllr DMorris had raised this suggestion at the Mar22 and had received a communication from Fossoway District CC in support of the idea. Cllr DMorris indicated he would not be able to organise this due to prior commitments. The Chair volunteered to explore the possibility of arranging a hustings, but was mindful of the short time available for organisation and communication to the community.

**ACTION:** Secretary to identify candidates and ascertain availability.

**Item 2 Rookery at Scotlandwell Washhouse:** A resident had complained to PCC about the Rookery causing noise and mess from droppings in the Wash House area. The Chair had also been approached about this separately. The Rookery has recently grown considerably in size. It was noted that Rooks are protected by law. The Tree where the Rookery has formed is on land owned by PKC.

**ACTION:** Secretary to add item to the agenda for May PCC meeting, as below.

## 11. Next Meeting: 7.30pm Tuesday, 10 May 2022, Online (to be confirmed)