

Minutes of a Meeting held on Wednesday 7 June 2017

at 7.30pm in the Masonic Hall, Muirs, Kinross

Present: CCllrs Bill Freeman (Chair), Eileen Thomas (Secretary), Margaret Blyth, Jonathan Bryson, David Colliar, Barry Davies, Ian Jack, David MacKenzie and Thomas Stewart; P&K Cllrs M Barnacle, C Purves, R Watters and W Robertson; Inspect Kevin Chase of Police Scotland and four members of the public.

Welcome: The Chair particularly welcomed new councillors Callum Purves and Richard Watters and congratulated all the councillors on their success at the recent local government election.

CCLlr Jack expressed his regret that Dave Cuthbert was not re-elected and said this was a great loss to Kinross-shire. He proposed that the CC write a letter of thanks for all Dave's hard work and assistance to this CC. This was agreed. **[ACTION: Secretary]**

1. **Apologies** were received from CCLlr D West and PCs Atholl Spalding and Douglas Stapleton.
2. **Declarations of Interest:** None.
3. **Minutes of meeting 3 May 2017:** Agreed as a true record. Proposed: CCLlr Colliar. Seconded: CCLlr Blyth.
4. **Police Matters:** The Chair welcomed **Inspector Kevin Chase**, new inspector for South Perthshire (Crieff, Auchterarder and Kinross areas). The Inspector recapped on the new staffing arrangements for Kinross, with Sergeant Nicky Forrester and Police Constables Atholl Spalding and Dougie Stapleton. The strategy for South Perthshire has returned to placing greater emphasis on local knowledge, staff continuity and visible community policing.

Inspector Chase summarised recent crimes in the area. There had been 23 crimes from 1 May to 7 June. Eleven had been detected. There was a drink driving incident on Station Road involving a local driver. There had been two break-ins: one to the Boathouse and one to a property in Bowton Road. Two persons have been reported for the latter. Other incidents include vandalism of a hotel sign and speeding offences.

The security level is at severe following the recent terrorist incidents in Manchester and London and dedicated patrols will visit polling stations on general election day (8 June 2017).

The police are particularly targeting bogus crimes just now.

There is a special plea for members of the public to consider applying to become Special Constables.

The Inspector invited questions. A member of the public raised the issue of **inconsiderate parking** at the entrance of **Douglas Crescent**, which prevents wheelchair users from using the dropped pavement to cross Douglas Crescent. Photographs and an email had been sent to the CC regarding this. The inconsiderate parking happens during school run times. It is no worse since work on the new building began. A traffic order was supposed to have taken effect from 22 April 2017 prohibiting parking at Douglas Crescent at its junction with Station Road. The same traffic order was to prohibit parking at Emslie Drive at its junction with Station Road and at locations around the Masonic Hall. The CC noted that new white lines had been painted around Kinross recently and hoped that this had not been carried out in error instead of yellow lines. Cllr Robertson said the white lines were very faint and due for renewal. Inspector Chase will ask PC Spalding to take a look at Douglas Crescent and will work with the school to speak with parents. Cllr Bryson, who is on the Parent Council, said a joint letter from the head teacher and Parent Council had gone out to parents about six weeks previously.

[Post-meeting note: The Double Yellow lines were painted the week after this CC meeting.]

Member of the public Douglas Alexander said it was around a year since he had brought up the issue of parking on **Gallowhill Road** near its junction with the Muirs and wondered if it was on a list of traffic orders to be done. The Secretary confirmed that she had sent that request to Cllr Cuthbert when the ward councillors were meeting monthly and maintaining a list of road requests. Cllr Robertson confirmed that the new group of ward councillors intended to continue with a monthly ward meeting. He will check the situation with Gallowhill Road and let Mr Alexander know. **[ACTION: Cllr Robertson]**

[Post-meeting note: The Highway Code rule 243 says (amongst other things) do not stop or park opposite or within 10 metres (32 feet) of a junction, except in an authorised parking space; do not stop where the kerb has been lowered to help wheelchair users and powered mobility vehicles.]

Inspector Chase was thanked for his attendance.

PC Spalding had also sent a report of incidents and advice which had been circulated to community councillors by email.

An email from Police Scotland gave a link to an online **questionnaire** regarding the state and effectiveness of local policing. The deadline is 14 June. CClr Blyth has completed it.

5. **Matters Arising** from the Minutes of the Meeting of 3 May 2017

- a. **Queen's Trees:** Cllr Colliar reported on quotations for a commemorative stone. The best was from Regency Memorials who would supply at cost price as this is a community project. Agreed that this (£250) would come from CC administrative grant.
- b. **Bus stop real time unit:** No further information.
- c. **Defibrillators:** CClr Davies reported that the Kinross Heart Start project has now raised £5000. One defibrillator has been purchased, to be installed when planning permission (required for conservation area) has been granted. So far sixty people have completed CPR training. CClr Davies is researching a second location for a Kinross Heart Start defibrillator. PKC would permit connection to the electricity supply via a lamppost.
- d. **Telephone kiosk:** CClr Davies has signed the contract giving the CC ownership of the telephone kiosk on the Muirs. He will look into the best way to get it fitted out with a defibrillator. There is a possibility of SSE funding.
- e. **Advertising/Sponsorship signs at roundabouts:** CClr Davies is still working on a report/letter.
- f. **Litter:** Cllr Davies received a response from the High School head teacher. (Circulated to CC.) She is happy to speak to a representative of the CC to discuss how the school can engage with a community led campaign to reduce all forms of littering. CClr Bryson will bring this up at the next meeting of the campus management committee. Cllr Robertson commended High School children; he saw them doing an organised litter pick in Gallowhill Road recently. PKC does a litter pick every day in the vicinity of the campus after each school lunchtime.
- g. **Kinross-shire survey:** CClr Bryson contacted other Kinross-shire CCs and has received responses from three so far who would like to take part. He will arrange a meeting in due course.
- h. **Participatory Budget:** CClr Thomas had sent a letter to PKC's Keith McNamara. This has been acknowledged; he will gather responses and answer the various questions asked. CClr MacKenzie had not been present at the previous CC meeting and could have answered some of the points raised as he had been on the Area committee. The committee was made up of two Kinross-shire people (himself and Pauline Watson), two Almond & Earn people and Tracey Ramsay, Community Capacity Building Officer. The main criterion for a project was: would it make an attempt to close inequality? Shortlisting was required because there were so many applications; it would have been unwieldy to put them all forward for a vote. He said the group described by the CC as a Fife-based group is a Perth & Kinross and Fife group. Although there were two projects from one organisation, the projects tackled two very different aspects of inequality. The committee is upset at the level of criticism. There was general agreement that the extremely short timescale had been problematic.
- i. **CC Membership:** Margaret Scott has decided to retire from the CC. The Chair and Secretary had placed a notice in the June Newsletter regarding applications for co-option. The Secretary will send Margaret a letter of thanks for the considerable work carried out by her over ten or so years.
[ACTION: Secretary].

6. **Planning Matters.**

- a. **Lathro Farm site:** Ken Whitcombe of Lathro Action Group (LAG) updated the CC. Using an aerial photograph, he pointed out the areas relating to the Persimmon phase 1 housing (part of application 15/01512/FLM, already granted) and the areas which Persimmon now appear to be passing on to Springfield Properties (see planning refs 17/00759/FLL and 17/00760/FLL in 6b below). Of particular concern are two groups of mature oak trees to the west and south west of Lathro Farm buildings. Mr Whitcombe said a statement provided as part of Persimmon's planning

application was misleading: it said the oak trees were outwith the residential development zone, which is not the case. (Ref: Lathro Farm Environmental Impact Assessment Environmental Statement. Volume 1: Written Statement, p. 49.) Cllr Robertson has written to PKC to ask if the trees can be protected. The CC agreed to do the same. **[ACTION: Secretary]**.

LAG have sent a list of detailed questions to Persimmon about aspects of the approved plan for 300 houses and the supporting information submitted by consultants with which they are unhappy. LAG say that: there is insufficient information to arrive at the conclusions reached; the supporting information provided is of poor quality; the methodology used to collect some of the data presented is not of acceptable standard; the information provided is not factually correct; planning procedures do not appear to have followed the required legal process; the number of houses approved significantly exceeds the quota included for the site in the LDP; the annual build rate which seems to have been approved ignores point 7.1.8 in the LDP, which states there should be a 10% reduction in the annual rate of house building in the Kinross area due to proximity to the Loch Leven SPA.

Various anomalies or contradictions were mentioned. A promised buffer zone is not going to materialise. PKC's own Biodiversity officer said a full bat survey needed to be done before a decision was made and cannot be put in a consent as a condition. There is no record of it being done.

The number of dwellings given permission exceeds that stated in the LDP and could go higher. The rate build will exceed that stated in the LDP.

Mr Whitcombe suggested that the CC identifies a community councillor to work with the LAG and report back to the CC, and also to act as a liaison with other CCs (see Scone letter in 6d below).

Cllr Barnacle said he had opposed the zoning of Lathro Farm for housing when the current LDP was at a consultation stage, but there had not been a groundswell of opinion against zoning for housing. Councillors did not receive comments from residents when the Persimmon planning application was advertised (the deadline was mid-December 2015).

The CC had sent a letter to Mr Brian shortly after Mr Whitcombe's previous address to the CC (April meeting). In Mr Brian's initial response, he promised to reply more fully, but has not yet done so, despite two reminders. The Secretary will write again. **[ACTION: Secretary]**.

Member of the public, Ken Miles, said the Council's report of handling for planning application 15/01512/FLM had said the proposal was in accordance with the LDP, when it clearly was not in terms of number of units and in other aspects.

It was noted that very few dwellings had received Neighbour Notifications for the Springfield Property applications. (Only Lethangie North Lodge, Lathro Farm and Lathro Cottage for 17/00759/FLL and only Lathro Farm for 17/00760/FLL.) This is because there is only a requirement to notify householders within 20m. It was also noted that if Springfield had put in a single application instead of two separate ones, it would have counted as a major application, being over 50 dwellings. There would then have been a requirement for more extensive advertising and consultation.

Cllr Bryson pointed out that the CC has not been given sight of PKC's traffic modelling for the area. He judges that if this site is developed, there will not be sufficient room for an extension to junction 7 of the M90. This needs to be addressed.

b. New Planning Applications.

17/00752/FLL Alterations and extension, 7 Torridon Place, Kinross. No CC comment.

17/00691/FLL Erection of a dwelling house, land 70m E of Monega House, Hatchbank. No CC comment.

17/00649/FLL Alterations and installation of replacement windows, 23 Curate Wynd, Kinross. No CC comment.

17/00825/FLL Alterations and subdivision of dwelling house to form 2no dwelling houses at 22 Curate Wynd, Kinross. No CC comment.

17/00789/FLL Alterations and extension to dwelling house, 34 Argyll Road, Kinross. No CC comment.

17/00816/FLL Extension to dwelling house at 14 Burnbank Meadows, Kinross. No CC comment.

17/00773/FLL Change of use and alterations to **former town hall**, public library and post office to form 9no. flats and installation of replacement windows and doors, 108-114 High Street, Kinross, for Edinburgh MI Ltd and 17/00774/LBC Alterations to buildings at 108-114 High Street, Kinross, for Edinburgh MI Ltd. The CC had requested an extension to the period for comment for these applications. The developer had recently withdrawn similar applications (refs 16/02053/LBC and 16/02054/FLL). The new applications addressed the concerns expressed by the CC and others regarding applications 16/02053/LBC and 16/02054/FLL. The CC agreed to send a letter of support. **[ACTION: Secretary]**.

17/00759/FLL Erection of 13no. dwelling houses and associated works at land 300m NW of **Lathro Farm**, Kinross, for Springfield Properties PLC, Larbert and 17/00760/FLL Erection of 47no. dwelling houses and associated works at land 300m NW of Lathro Farm, Kinross, for Springfield Properties PLC, Larbert. See also item 6a above. The CC decided to object to these applications for the same reasons given in its objection to the original Persimmon application for the same site plus additional comments regarding tree loss, neighbour notification, inaccuracy of documents etc. **[ACTION: Secretary]**.

17/00886/FLM Application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to develop land to modify conditions 8 (children's play area), 9 (access) and 11 (boundary treatment) of planning permission 15/01512/FLM (Erection of 300 dwelling houses, formation of open space, landscaping and associated infrastructure works) to reflect change in implementation timescale at land 300m NW of Lathro Farm for Persimmon Homes Ltd. The CC agreed to object to proposal. Persimmon should redesign layout to include play area in phase 1. The CC cannot comment on access until it has sight of the traffic model. **[ACTION: Secretary]**.

17/00877/FLL and 17/00914/LBC Alterations, extension and erection of office building at Courthouse Restaurant, 21-25 High Street, Kinross for Liberty Business Centres. No CC comment.

c. **Planning Applications Approved by PKC.**

17/00752/FLL Alterations and extension to house, 7 Torridon Place.

17/00475/FLL Alterations to house, 15 High Street.

17/00369/FLL Siting of 10 storage units, 10 High Street.

17/00320/FLL Erection of house and two garages, land 50m W of Easter Cockairney.

17/00510/FLL Extension to house, 2 Emslie Drive.

17/00481/FLL Extension to house, 7 Cameron Avenue.

17/00628/FLL Erection of showroom and workshop, Unit C, Kinross Business Park.

d. **Planning Correspondence and other Planning Matters.**

Former Town Hall: Applications 16/02053/LBC and 16/02054/FLL have been withdrawn.

Licensing Application: Variation to licence for Co-op. Minor changes. No comment.

Licensing Application: Loch Leven Brewery. No comment.

Burleigh Holiday Park: The Secretary emailed planning consultants Rapleys to check their attendance for the June meeting. They said they are still busy revising plans but would come to a future meeting. A member of Milnathort CC reported to the secretary that Rapleys have told her they are scaling down development and there won't be any recreational facilities but there will still be a proposal for 80-90 holiday lodges.

Scone Development: A group calling themselves 'Scone Development' are unhappy at the way the application for 700 houses in Scone was dealt with. They are looking for a dossier of examples where others feel that PKC has departed from due process. They will present a summary to those who have pledged to investigate. It was agreed that the Secretary should ask for more information about who the email represents. It was agreed local examples that could be put forward to Scone Development or Scone CC are the Lathro Farm and former Kinross High School sites because of the departure from allocated units in the LDP. Cllr Purves will send the secretary a copy of a letter sent by Scone CC to John Swinney MSP. He explained the current system where local authorities send a report to the Scottish Government regarding planning performance. This is akin to "marking their own homework and the Scottish Government ticking it". **[ACTION: Cllr Purves and Secretary]**.

Pace Hill (ref 17/00806/FLM): Although outwith the Kinross CC area, the secretary proposed objecting to this application on the grounds that the number of dwellings proposed (77) greatly exceeds the number laid down in the LDP (50), thus adding strain to local services, affecting the wider community. Proposal agreed. **[ACTION: Secretary]**.

7. **Kinross Town Centre Regeneration:** The new puffin crossing is now operational. However, there is no red or green man shown opposite pedestrians waiting to cross. Cllr Robertson will enquire about this. At a meeting of the (new) Environment, Enterprise & Infrastructure Committee on 14 June, a proposal to extend the 20mph speed limit on Kinross High Street and adjoining roads will be considered. This would move the start of the 20mph limit from outside the Co-operative store on the High Street slightly further north to just before the roundabout at the junction with Station Road. A small stretch of Station Road on the approach to the roundabout would also be 20mph. Additional bollards for pedestrian safety are still to be introduced at the single carriageway section of the High Street. PKC Roads staff are still looking into the possibility of a controlled crossing on the High Street near the junction with Montgomery Street.
8. **New Primary School:** Cllr Bryson reported that the Parent Council met a few weeks previously. Parents will have an opportunity to see landscaping plans via the Parent Council. A second annual digital learning event took place recently, which was very successful. The extra funding for this obtained by former Cllr Dave Cuthbert is much appreciated. Cllr MacKenzie expressed concern that the User Group (on which he is the CC representative) has not met for well over a year. He will email Brian Reid about this. **[ACTION: Cllr MacKenzie]**.
9. **Miscellaneous Correspondence:** Approximately 40 emails had been received since the last meeting. Most had been forwarded to community councillors and a summary provided. Items mentioned were:
 - a. **A977 Vehicle Activated Signs (VAS):** The CC had received an email from PKC's D MKeown regarding the location and design of VAS along the A977. Elected members are satisfied with proposals and the CC had nothing further to add.
 - b. **20mph:** Mark Ruskell MSP has launched a consultation for a member's bill which proposes reducing the default speed limit on restricted roads from 30mph to 20mph. Deadline for comment is 7 August. Cllr Robertson has written again to Police Scotland regarding the Speedwatch scheme.
 - c. **Kirking of the Council:** Cllr Bryson will attend this on 11 June.
 - d. **Street names:** Elected members put forward names of the old Gallowhill Community as suggested street names for the Persimmon development. The requirement for names was recently reduced from seven to five.
 - e. **Kinross in Bloom:** Thank you letter received for grant from KCCNL charitable fund.

10. Reports from Perth & Kinross Councillors.

Councillor Robertson:

Bus services have changed. There will be a more regular service benefiting residents at the south end of town. [The Public Transport Unit published an article about this in the June 2017 Newsletter.]

Toilets at Pier: The plans have been drawn up and agreed by the stakeholders. SNH will be responsible for the facility. There are various sources of funding. All stakeholders have been very helpful and Cllr Robertson thanked the CC for making the suggestion.

Action Partnership: This year the sum will be £25000. Cllr Robertson wondered if there would be support for using some of the funds for a community bus service (a minibus). This is potentially a good idea as long as it complements the DRT1 and volunteer service. (See also Cllr Barnacle below.)

Councillor Watters:

Planning: Cllr Watters is still finding his feet as a new councillor. He referred to the controversy over the Development Management Committee meeting to determine a 700-house Scone development shortly after the local government election. He had walked out of the first meeting as he felt it was impossible to have digested the amount of paperwork involved in five days. He is keen to see if there are ways of improving the planning system.

Councillor Barnacle:

Rural transport/Action Partnership: Referring to Cllr Robertson's suggestion above, Cllr Barnacle said that rural transport is a big issue. A community bus travelling in a figure of eight around the villages might be beneficial as long as it did not compromise the success of DRT1 and volunteer service. Perhaps this is something all the ward CCs could discuss.

Public toilets: Cllr Barnacle wondered when the Pier toilets would be on stream. Cllr Robertson hopes the planning application will go in soon. Cllr Barnacle has received complaints from a member of the public regarding the Kirkgate automated toilet frequently failing. He has investigated with PKC staff and the locking mechanism appears to fail randomly.

Councillor Purves:

The new administration at PKC is a partnership of Conservative, Lib Dem, Independent and Labour.

Potholes: The new administration has changed the trigger point for potholes being filled. Until recently a pothole had to be 60mm deep before it was filled, but now it is 40mm.

Review: There will be a review of the Council structure. Some committees have changed already. The chair asked if community campuses could be made more user-friendly for members of the public.

11. Any Other Competent Business.

- a. **Ward Councillors:** Cllr Davies hopes the four councillors will work in partnership. Cllr MacKenzie proposed that the CC also writes to thank Joe Giacomazzi for his work as a councillor over the past five years. Agreed. **[ACTION: Secretary]**. Cllr Bryson hopes Kinross-shire is represented on any education committees. Cllr Purves is on the Lifelong Learning Committee.
- b. **Website:** Cllr Jack reported that he had met with Pauline Watson to look at the invoicing of businesses for the Kinross.cc website. He recommended new software which has been obtained.
- c. **CC finances:** Cllr Jack reported that the Army Cadets have now repaid the CC for the wreath, with interest. Cllr Jack submitted the annual accounts to the wrong council building so there will be a delay in receiving the grant.
- d. **Potholes:** Cllr Stewart reported potholes at Chance Inn.
- e. **Overgrown hedges:** Cllr Colliar reported difficulty in negotiating the pavements on Gallowhill Road on his motability scooter due to overgrown hedges. Cllr Robertson will contact the relevant PKC officer and residents will be reminded of their responsibilities. **[ACTION: Cllr Robertson]**.
- f. **Youth Club:** The Chair had been contacted by Fiona Brand who would like to address the CC regarding the setting up of a club for young people with special needs. Agreed.

12. Date of Next Meeting: Wednesday 5 July 2017 at 7.30pm in the Masonic Hall, Muirs, Kinross. Apologies in advance from Cllrs Jack and Bryson.

The meeting ended at 9.56pm.

All minutes are draft until approved at next meeting.