

Minutes of a Meeting held on Wednesday 2 August 2017

at 7.30pm in the Masonic Hall, Muirs, Kinross

Present: CCLlrs Bill Freeman (Chair), Eileen Thomas (Secretary), Jonathan Bryson, David Colliar, Dave Cuthbert, Barry Davies and Thomas Stewart; P&K Cllrs C Purves, R Watters and W Robertson; and PCs D Stapleton and A Spalding. There were no members of the public in attendance.

1. **Apologies** were received from CCLlrs M Blyth, I Jack, D MacKenzie and D West; and Cllr M Barnacle.
2. **Declarations of Interest:** None.
3. **Minutes of meeting of 5 July 2017:** Agreed as a true record. Proposed: Cllr Colliar. Seconded: Cllr Cuthbert.
4. **Police Report:** PCs Stapleton and Spalding were in attendance. They referred to the current Police Scotland summer campaigns; there are no hotspots in Kinross. There was an incident involving young people entering the compound of Kinross Primary School, but no vandalism took place. Some scaffolding has been stolen from the Persimmon site at the former Kinross High School (under enquiry). When schools return, the PCs will check on parking behaviour at Douglas Crescent. They carried out speed checks on Springfield Road recently, between 5.30pm and 6.30pm. 35mph was the highest speed recorded. They plan to check Sutherland Drive and asked for other suggestions. The Chairman suggested the Muirs in the evening. The Chairman wondered if any further thought had been given to cut-out figures to deter speeding. The PCs have noted that these are being used in Fife again. Sgt Forrester had responded to the item in the minutes of the July meeting about a Community Youth Team by contacting the local youth worker. Sgt Forrester is happy to progress this idea in some form, although incidents involving youths are down since the return to emphasis on local policing at the start of the year.
5. **Matters Arising from the Minutes of the Meeting of 5 July 2017.**
 - a. **Forum:** A meeting of the Kinross-shire Forum to discuss LDP2, scheduled between the July and August meetings, has been postponed. [*Post-meeting note: re-arranged for Tuesday 15 August.*]
 - b. **Health & Social Care PB:** Cllr Purves reported that there will be a participatory budget exercise for Kinross-shire. £90,000 has been allocated to three localities. These are different to the five Area Partnership localities. If the Area Partnership holds a participatory budget event, then it would be combined with the health and social care one.
 - c. **Gallowhill Road junction:** Cllr Robertson reported that he has written twice to PKC's Daryl McKeown asking for a site meeting. He awaits a reply.
 - d. **Grounds maintenance programme:** Cllr Purves contacted Environment Services. They had not changed their schedule this year. A two-week window to cut the grass at Springfield Road was missed; cutting was a month later than planned. There is no plan to change the schedule for next year.
 - e. **Grass at Leisure Centre:** Cllr Robertson said this was cut within 24 hours or so of his reporting it.
 - f. **Employment opportunities:** Cllr Purves reported that various options are being looked into. He will report back on a future occasion.
 - g. **Muirpark Road:** Cllr Purves reported on technical problems with resurfacing of Muirpark Road. PKC will observe how the new surface on Muir Grove performs over the winter. Muirpark Road is part of the rolling programme for resurfacing works. (This does not mean that resurfacing is guaranteed.) Cllr Cuthbert asked if the CC could have a copy of the roads maintenance schedule. Cllr Purves will ask Stuart D'All for this. **ACTION: Cllr Purves.**

6. Planning Matters.

- a. **New Planning Applications:** The CC considered the following applications and decided not to make comments on any of them:
- 17/01168/FLL Extension to dwelling house at 9 Douglas Crescent, Kinross.
 - 17/01239/FLL Siting of 30no. storage containers and erection of a screen fence (in part retrospect), 2 Clashburn Close, Bridgend Industrial Estate for Webster Storage. Cllr Colliar explained that the location is in the older part of the Bridgend Industrial Estate.
 - 17/01253/FLL Erection of an agricultural building at land 500m NE of Leepark, Coldrain. (Later withdrawn.)
 - 17/01273/ADV Display of signs at 121 High Street, Kinross, KY13 8AQ for Mr J Mair.
 - 17/01281/FLL Erection of ancillary accommodation at Braeside House, Hatchbank Road, Gairney Bank, Kinross.
- b. **Planning Applications Determined by PKC:**
- 17/00649/FLL Alterations and installation of replacement windows, 23 Curate Wynd. Approved.
 - 17/00816/FLL Extension to dwelling house, 14 Burnbank Meadows. Approved.

c. **Planning Correspondence and Other Planning Matters:**

Social housing query: The Secretary had asked as part of the CC's consultation comment on application 17/00893/FLL whether this application would affect the social housing provision already agreed for the larger Lathro application. However, PKC does not answer questions raised in comments on planning applications so she has also emailed the case officer separately. No reply received as yet.

Letter to Minister for Local Government: As agreed at the July meeting, the Secretary drafted this, circulated for comment, then sent it. The letter detailed various concerns with PKC planning, including the handling of the Persimmon application at Lathro Farm which has resulted in oak trees being felled recently, and asks for an inquiry into PKC planning.

Lathro Farm update: Contractors for Persimmon felled 13 mature oak trees at Lathro Farm over the dates 14, 17 and 18 July (in relation to its planning consent for 300 houses), despite efforts by the CC Secretary and local Councillors to have this stopped or postponed. Cllrs Robertson, Purves and Watters met with PKC officers Steve Callan, Geoff Fogg and Jamie Scott on 21 July to express their concern at officers' handling of this, as well as other matters. At the meeting, the Councillors asked the officers to comment on the assertion that there was a legislative requirement for full ecological surveys to be carried out before such a planning application was determined, rather than conditions relating to checking for wildlife being added to the planning consent. The Councillors reported to the CC what had been said, but asked for it not to be minuted.

There was some discussion about the competency of officers and what, if anything, could be done. It was noted that the Scottish Government has chosen not to enact part 12a of the Planning (Scotland) Act 2006 and therefore cannot conduct an assessment of a planning authority's performance.

Cllr Purves reported that he and Cllr Barnacle, as Vice Chairs of the EE&I Committee, had met with senior PKC staff [Nick Brian, Barbara Renton and Jim Valentine]. Cllrs Purves and Barnacle made various suggestions to tighten planning, e.g. they asked that PKC consider commissioning independent surveys and then charge the developer, rather than the developer commissioning their own; and they suggested that neighbour notification could be wider than the minimum requirement. Reference was made to a recent application (17/00893/FLL, erection of 6no. dwelling houses, formation of open space, landscaping and associated infrastructure works for plots 1-6. relocation of SUDS basin, pump station and erection of substation (revised layout and design) (in part retrospect), land 300m NW of Lathro Farm). Because this application to move the SUDS basin was attached to an application for six houses, only a few properties had to be notified, even though the application actually has potential repercussions for the whole Lathro site as it involves changes to drainage

arrangements, and therefore could affect the residents of Lathro Park. Similarly, this application did not require to be notified to SEPA. The Councillors asked the officers to consider consulting SEPA even when an application is not classed as a 'major' one.

Also on the subject of improvements to the service, Cllr Robertson said that perhaps in future 3D images of proposed developments should be made available; that would have been helpful in trying to envisage the development on the former Kinross High School site. There have been queries about the heights of some of the new-build houses and/or the extent of ground levelling that was supposed to take place before building began.

Flooding at Lathro: Cllr Purves reported on a meeting with Lathro Park resident Ken Whitcombe and David Linn, PKC officer with responsibility for flooding. Cllr Purves has asked Mr Linn to find out why he, Mr Linn, was not told about this site being prone to flooding. Cllr Watters said that Lathro Farm does not come up as a flood site on the national database. Cllr Cuthbert said the national database only shows fluvial flood risk, and not areas at risk due to groundwater. Cllr Purves reported that PKC disagrees with Mr Whitcombe's assertion that the local authority would be liable in the event of Lathro Park properties flooding as a result of the development on Lathro Farm. Cllr Purves is trying to find out more. **ACTION: Cllr Purves.**

Radon: It was mentioned that the Lathro Farm development site is in a radon area.

TPO: The Secretary again raised the point that Nick Brian, in his response to the CC's letter of 10 April, had not addressed the CC's request for a Tree Preservation Order on the trees at Lathro Farm. The CC agreed that she should pursue this via further correspondence. Although one group of oaks had been felled, there is still another group of oaks at Lathro Farm. **ACTION: Secretary.**

SPSO: Complaints to the Scottish Public Service Ombudsman (SPSO) are taking 8-10 weeks just to be allocated for attention. Residents of Tullybelton near Bankfoot have complained to the SPSO about PKC's handling of a planning application.

Embargo on housing: The Secretary had emailed Peter Marshall to support Cllr Robertson's call for an embargo on new, large-scale housing in Milnathort area until junction 7 of the M90 is upgraded. The reply (31 July) said each application beyond those identified in the LDP will be assessed on their merits. Major applications are likely to require a transport assessment. PKC will arrange a demonstration of the traffic model to some CC representatives. Lathro resident Bob Mitchell had asked if he could attend that as a representative of the CC as he has a relevant professional background. This was agreed. No dates for the demonstration have been put forward yet. Cllr Bryson has been doing some independent research into the possible expansion of junction 7. He was told a detailed site assessment would be required but challenged this; a desk assessment could be carried out using GPS. Cllr Bryson suggested there should be a strategic transport assessment to gauge economic benefit. He had made a Freedom of Information request to Transport Scotland and ascertained that no economic appraisal of transport in Kinross-shire has been carried out. The CC should request one. Cllr Bryson will draft a letter to circulate to other CCs. This was agreed. **ACTION: Cllr Bryson.** It was also suggested that we should support reinstatement of a train link to Edinburgh. *[Post-meeting note: Cllr Purves suggested in an email of 7/8/17 that the CC could put its proposals to Transport Scotland's national transport strategy review.]*

Cllr Davies predicts that traffic lights will be required at the Muirs/Springfield Road junction within a few years. Cllr Bryson said PKC are not looking far enough ahead. There will probably be major problems at Gallowhill Road as well.

7. **Kinross Town Centre Regeneration:** Cllr Robertson reported that the additional bollards have been ordered and should be in place within two months. There is no news regarding a crossing at the south end of the regenerated area; a further meeting is required. Electric sockets had to be replaced recently. They are checked every three months. There was a foul water upsurge on the High Street near its junction with Burns Begg Street. This appears to have been resolved.
8. **New Primary School:** An update, including photographs, was received the day after the last meeting (i.e. on 6 July) and circulated by email. At that time, the roof was nearly finished and photovoltaic panels installed. Brick facings were progressing well and partitions installed to first and ground floor areas.

Completion is scheduled for 11 December 2017. Tier 2 demolition and external works are due to finish by 27 April 2018. Cllr Bryson said that the photovoltaic panels are in addition to the biomass boiler, to improve on renewables targets. More information on progress of the build can be found on the school Twitter feed.

9. **Correspondence:** Approximately 39 items had been received since the July meeting and most circulated to the CC. Items of importance had been dealt with elsewhere on the agenda.

10. **Reports from Perth & Kinross Councillors:**

- a. **Community Engagement:** Cllr Purves reported that PKC intends to hold some of its meetings outwith Perth to improve community engagement. A full Council meeting will be held in Kinross. *[Post meeting note: Cllr Purves indicates the full Council meeting of 4 October 2017 will be held in Kinross, presumably the campus.]*
- b. **Westfield:** Cllr Robertson reported that a meeting involving Fife and PKC planners will take place in August to discuss the Westfield application. This is a planning application for the restoration and development of a former opencast site in the Fife local authority area. If granted, it will seriously impact on the B9097, as an estimated 1,000 extra HGV journeys per day will be generated. The B9097 is partly in the Portmoak CC area and partly the Kinross CC area. Cllr Robertson invited representation from the CC to the meeting with planners. Cllrs Colliar and Cuthbert will attend the meeting at 10am on Wednesday 23 August in the campus. **ACTION: Cllrs Colliar and Cuthbert.**
- c. **Rural Transport:** Cllr Robertson has had a meeting with Andrew Warrington to discuss possible improvements.
- d. **Wheelchair access:** Cllr Watters described the difficulty of a wheelchair-using resident in getting around Kinross. Difficulties include hedges partially obstructing pavements (e.g. on Gallowhill Road) and a lack of dropped kerbs in key places. He has had a meeting with Chief Executive Bernadette Malone about this. It was agreed that Cllr Watters should ask PKC to carry out an audit of pavements in Kinross and Milnathort with a view to making these places as disability-friendly as possible. **ACTION: Cllr Watters.**

11. **Any Other Competent Business:**

- a. **Toilets at Pier:** Cllr Davies reported. He has represented the CC at meetings with PKC, SNH, HES, Kinross Estate Company and TRACKS with regard to securing public toilet facilities at the pier. A site and funds have been identified. The group is now ready to apply for planning permission. It is envisaged that work will start in February 2018 with a view to being open for the start of April 2018. The plan is for the facility to be open April-October and managed by SNH. It is expected that the facility will have a 5- to 10-year lifespan. Cllr Davies thanked and congratulated Cllr Robertson for his work in organising the meetings and achieving this result. Cllr Robertson stressed that the stakeholders see this as a short-term measure, with a proper visitor centre being the ultimate goal.
- b. **Mary Queen of Scots Great Escape Boat Race:** Cllr Davies encouraged the CC to attend and/or enter this event, to be held on 3 September.
- c. **Survey:** Cllr Bryson will progress the survey agreed at a previous meeting. **ACTION: Cllr Bryson.**
- d. **High School capacity:** It has been rumoured that there is only one space in S1 due to the large number of placements from outwith the KHS catchment area. There was some discussion. Cllr Stewart queried the fairness of a house-builder having to pay thousands of pounds to PKC in education contributions when places are being taken by children from outwith the Perth & Kinross local authority area. Cllr Cuthbert said Scottish Government legislation requires a place to be offered if there is space available. Cllr Purves explained that various criteria come into play. He will find out if the number of reserved spaces can be increased in view of the large number of new houses due to come on stream locally. **ACTION: Cllr Purves.**
- e. **CC Grant:** The Treasurer had notified the Secretary that the grant from PKC (£697.81) is now in the CC account. The CC could now pay for the plaque obtained for the Queen's trees (now in situ). Cllr Colliar will email the treasurer regarding payment of the plaque. **ACTION: Cllr Colliar.**

- f. **Remembrance Sunday:** It was agreed that a meeting should take place in the first week of October of those involved in the Remembrance Sunday arrangements. **ACTION: Cllrs Colliar, Freeman & Blyth.**
- g. **Kirkgate Park Play Equipment:** Cllr Freeman notes that there is not very much play equipment at Kirkgate Park for children under 8 years of age. It was thought that some equipment may have been removed due to damage. Cllr Robertson will make enquiries. **ACTION: Cllr Robertson.**

12. **Date of Next Meeting: Wednesday 6 September 2017** at 7.30pm in the Masonic Hall, Muirs, Kinross.

The meeting ended at 9.16pm.

All minutes are draft until approved at next meeting.