

Kinross Community Council
Minutes of a Meeting held on Wednesday 3 August 2016

at 7.30pm in the Masonic Hall, Muirs, Kinross

Present: CCllrs Bill Freeman (Chair), Eileen Thomas (Secretary), David Colliar, Tom Stewart, Ian Jack, Margaret Blyth, David MacKenzie, Barry Davies and Jonathan Bryson; P&K Cllrs D Cuthbert, W Robertson and J Giacopazzi; D Stubbs, PKC Greenspace Co-ordinator; Sgt John Ferguson and one member of the public.

1. **Apologies** were received from CCllrs D West and M Scott; and P&K Cllr M Barnacle.
2. **Declarations of Interest:** CCllr Stewart declared an interest in planning application 16/01177/IPL.
3. **Minutes of meeting of 7 July 2016:** Add CCllr Blyth to apologies. Minutes proposed by CCllr D Colliar and seconded by CCllr D MacKenzie.
4. **Police Report:** Sgt J Ferguson was in attendance. There were no specific local issues to report. Police officers are attending CC meetings only sporadically. Cllr Robertson said this was a pity as at some other Kinross-shire CC meetings recently there were issues raised that the police could have responded to directly. As well as attendance being sporadic, it is not consistently the same police officers, so the CC does not get feedback if questions are asked. For example, Kinross CC had asked several months ago if cut out figures could be used as a deterrent to speeding, as happens near Cupar, but has received no response. Sgt Ferguson will contact the Chair directly with a response to this.
There was a general discussion on police numbers and the effects of the change to the single Police Scotland service.
The police have not received any complaints regarding the Kinross High Street shared space.
The Commander's bulletins of 7, 14, 21 and 28 July were noted.
5. **Refurbishment of Play Parks:** Dave Stubbs, PKC Greenspace Co-ordinator was in attendance. He explained that there are basically two types of play park: local and destination. A local park is one that children living nearby might use for short periods of time. A destination park is likely to be used for longer visits and by families from a wider catchment. Green Park play area is a local park and is on PKC's latest list of parks due to receive a refurbishment in the next two years. Ideas and suggestions are being sought now. The secretary had placed a post about this on the CC's Facebook page and residents had made comments. These included: the park should be fully accessible for wheelchair users; it requires greater safety from the road; a sensory garden could be incorporated; better and more varied equipment is desirable. A copy of the comments was passed to Mr Stubbs. Suggestions made at the meeting included a set of goals for kicking a football around. Mr Stubbs said that if the community gets involved, there could be greater improvements, e.g. more equipment if there was local fundraising. It was pointed out that the Green Park play area is supposed to be receiving a developer contribution from Persimmon as a condition of their planning consent for the former High School site.
The Lathro play area is due to be refurbished very soon and a plan was available to view. Cllr Robertson warned that experience in Milnathort has shown that long grass is not popular. CCllr Davies described the problems experienced at the Lathro play area before now and stressed that maintenance is important. Sgt Ferguson said that the public should contact the police if they find a syringe in a park. Play parks are inspected regularly for Health & Safety reasons.

One of the Facebook comments was that the Davies Park is in need of an upgrade, but Mr Stubbs said this is not on the Council's current list of planned refurbishments. CCllr Bryson raised the issue of trees at the Myre that had been removed due to damage. A local family wondered if they could be replaced. CCllr Bryson will pass the details on to Mr Stubbs.

ACTION: CCllr Bryson

- 6. Matters Arising from the Minutes of the July Meeting: Sunnypark Wood:** Richard Welch, PKC Conservation Officer, acknowledged receipt of the CC's request that a Tree Preservation Order (TPO) be placed on Sunnypark Wood. The request will be assessed under the Council's approved criteria for TPOs. He will inform the CC of the outcome as soon as possible.

7. Planning Matters

a. New Planning Applications

- 16/01247/FLL Alterations and extension to dwelling house at 21 Hatchbank Road, Gairney Bank. No CC comment.
- 16/01267/IPL Renewal of permission 13/01242/IPL (erection of a dwelling house) (in principle) at 27 Alexander Drive, Kinross. No CC comment.
- 16/01177/IPL Erection of dwelling house and associated works (in principle) at land 20m W of Gellybank Farm. No CC comment.
- 16/01269/FLL Siting of a welfare facility unit for a temporary period for Historic Environment Scotland, Pier Road, Kinross. This is for a portacabin housing a canteen and toilet for HES staff for up to 3 years while a more long-term solution is sought. This application is pertinent to the discussion to be held by the CC later in the meeting under Miscellaneous Correspondence in relation to toilets at the pier.

b. Applications Determined by PKC

- 16/00741/ADV Display of signs, Inglis Vets, 39 High Street, Kinross. Approved.
- 16/00962/LBC Alterations, Inglis Vets, 39 High Street, Kinross. Approved.
- 16/01013/FLL Extension to dwelling house, 20 Pier Road, Kinross. Refused.
- 16/00955/FLL Alteration and extension to dwelling house, 21 Montgomery Street, Kinross. Approved.
- 16/00934/FLL Extension to dwelling house, 14 Auld Mart Lane, Milnathort. Approved.
- 16/00774/FLL Erection of a dwelling house (revised design), 3 Brewery Lane, Kinross. Approved.
- 16/01247/FLL Alterations and extension to dwelling house, 21 Hatchbank Road, Gairney Bank. Withdrawn.

- 8. KCCNL Charitable Company Administrative Changes:** A report by the KCCNL sub-group had been circulated to members of the CC in advance. It updated members on progress in changing the Memorandum & Articles. The report and a draft Shareholder's Minute to allow a loosening of the restriction on who can be a director were approved. Community councillors wishing to become shareholders of KCCNL should provide the necessary details to the secretary. The sub-group had also circulated a revised KCCNL grant application form with guidance notes. This was approved also. The CC will consider grant applications twice per year. The deadlines will be 31 March and 30 September. The CC, as shareholders of KCCNL, will meet twice per year outwith regular CC meetings to determine the applications. Decisions will reported at the May and November CC meetings.

ACTION: CCllrs

- 9. Town Centre Regeneration:** CCllr MacKenzie has spent some time lately observing the behaviour of drivers and pedestrians in the High Street and is more convinced than ever that the redesign is not working. He quoted from "Accidents by Design: The Holmes Report

into Shared Space” published in 2015 by Lord Holmes of Richmond. Authorities throughout the country are having to put crossings back in place due to the failure of the shared space concept. Government guidance defines shared space as: ‘A street or place designed to improve pedestrian movement and comfort by reducing the dominance of motor vehicles and enabling all users to share the space rather than follow the clearly defined rules implied by more conventional designs.’ (Dept for Transport, 2011). Some community councillors suggested it would help to have a sign warning drivers that pedestrians may be crossing, but Cllr Robertson stated that pedestrians don’t have the right of way. It is confusion about who has the right of way that gives rise to the unsatisfactory experience of shared spaces catalogued in the Holmes Report. The system is based on politeness instead of rules. Cllr Bryson expressed the view that shared spaces can work, but they are not appropriate for a through road. He feels there should be clearer demarcation where the pavement disappears and merges with the single surface near Hunters; he went over on his ankle there recently. Cllr Davies suggests a ramp at the Co-op to slow traffic. The secretary has written to the Chief Executive to request the restoration of a controlled crossing in the High Street in a much shorter timeframe than the three years indicated by the ward councillors. Ward councillors are urged to keep pressing for the return of a controlled crossing at every opportunity.

10. **New Primary School:** There has been no User Group meeting since the last CC meeting. Some preparatory work is going on, but the main work begins in September.
11. **Miscellaneous Correspondence:** A summary of all mail received between the July and August meetings had been circulated prior to the meeting. Items discussed were:
 - a. **Toilets at the Pier:** The CC had received an email from Julie McGrattan, proprietor of the Boathouse restaurant at the pier. She referred to Cllr Cuthbert’s statement in the June minutes that the Boathouse had refused to participate in PKC’s ‘Comfort Scheme’. She acknowledged this is true, but wanted to expand upon the reasons. The amount offered by PKC for the scheme is £1,500 per year, which would not nearly cover the cost of cleaning, materials and maintenance. PKC suggested a portaloo in the car park, but wanted the Boathouse to pay £13,500 towards maintenance of it. Ms McGrattan said they are asked literally hundreds of times a day for non customers to use their toilets and they and their facilities cannot cope with the demand. Staff have suffered verbal, physical and online abuse after refusing use of the toilets to non customers. Ms McGrattan points out that the Boathouse is a small business, employing 25 local people and using many local suppliers. They are doing all they can to build a successful business, and have two weddings booked this year, which will bring 100 people each time requiring local accommodation etc. This side of their business is growing. Ms McGrattan says the loch is the biggest tourist attraction in the area and the pier car park is very heavily used. Visitors, rightly in her view, expect public facilities to be there, and she urges the CC to look into this matter and to support growth and development of the pier area.

Before discussion, Cllr Cuthbert said there had been an **error in the June minutes** under this item, which had ascribed to him the statement that ‘Kinross Estate Company do not want more toilets on their land, so there seems to be little that can be done.’ In fact he had said something to the effect that the land is owned by Kinross Estate Company and PKC would not want to build toilets on private land. He has subsequently checked that this is the case with Bruce Reekie of PKC. The Council is looking to cut down on toilets, not add them.

There followed some discussion. A planning application by Historic Environment Scotland (see Planning above) for a temporary welfare unit indicates that their facilities at the pier are inadequate for their staff, let alone visitors to Lochleven Castle, and this provides an opportunity for some joined up thinking. 250,000 people use the Heritage Trail each year, but the infrastructure is not sufficient. PKC contributed £150,000 towards the building of the Trail and maintain it. Cllr Barnacle

had indicated via the secretary that he thinks a visitor centre at the pier would be a good idea.

It was agreed that Cllr Robertson, in his capacity as Chair of TRACKS and as a ward councillor, should contact HES, SNH and the Kinross Estate Company in the first instance to see if there is interest in co-operating to find a solution. He will report back to the next CC meeting. A visitor centre might be a long-term aim but toilets are required sooner. CCllr Bryson warned, however, that temporary facilities sometimes become fairly permanent.

ACTION: Cllr Robertson

- b. **Police consultation:** Noted. No response necessary.
- c. **Licensing consultation:** PKC is asking whether there is overprovision of licensed premises throughout the authority area. The CC's view is that there is not overprovision locally. Secretary will reply.

ACTION: CCllr Thomas

- d. **Insurance form:** PKC CC Liaison had been in touch to request that the CC complete and return the insurance form sent out in March. CCllrs Colliar and Freeman will complete the form and pass it to the Secretary for submission.

ACTION: CCllrs Colliar, Freeman & Thomas

12. Reports from Perth & Kinross Councillors

- a. **Flooding:** Cllr Giacomazzi reported on flooding in Argyll Road and Seaforth Drive. CCllr Colliar said there has always been a flooding problem in this location since a burn was piped through the estate at the time of building. Recently, however, there has been sewage surcharge during extreme rain. This is Scottish Water's problem.
- b. **Farmers' Market:** Cllr Cuthbert said the Farmers' Market on 30 July went well. Drivers do go through the High Street surprisingly fast, however.
- c. **Lochleven catchment protection:** Though not present, Cllr Barnacle had highlighted his letter to SEPA, SNH and PKC regarding the failure of their joint protocol to protect Loch Leven. (Published on p. 7 of August Newsletter.)

13. Other Competent Business

- a. **Double Yellow Lines:** CCllr Blyth hoped that PKC would be repairing the roads in the side streets around the Masonic Hall before painting the double yellow lines that are in the process of being agreed. Cllr Giacomazzi will raise this at the next appropriate meeting.

ACTION: Cllr Giacomazzi

- b. **Fun Fair:** CCllr Davies wondered if the recent fair at the Kirkgate Park had been licensed. There were huge vehicles on the grass, which would have been ruined if conditions had been very wet. Cllr Cuthbert will investigate.

ACTION: Cllr Cuthbert

- c. **Mary Queen of Scots Boat Race:** CCllr Davies highlighted this event on 28 August, which he hopes will develop into an annual community festival.
- d. **LDP submission:** CCllr Bryson reminded the CC that when it submitted comments to LDP2, the CC expressed a wish to enter into communication with PKC about developing a strategic masterplan for the area and that perhaps it is time to follow this up. Cllr Cuthbert said the LDP2 should be coming to full council in October. He suggested the CC write to Peter Marshall, inviting him to a meeting. CCllr Bryson to draft a letter inviting Mr Marshall to the September CC meeting.

ACTION: CCllrs Bryson & Thomas

- e. **Primary School Liaison:** The company building the new primary school has a community liaison person. CCllr Bryson suggested that he and CCllr MacKenzie should invite him/her to the October CC meeting. Agreed.

ACTION: CCllrs Bryson & MacKenzie

- f. **Overgrown hedges:** CCllr MacKenzie suggested that the CC should be pro-active in spring next year in asking residents to try walking two abreast on the pavement

outside their property. If they are unable to do this due to overhanging vegetation, they should cut back any offending hedges, bushes, trees etc. An item about this could go in the Newsletter. Ward councillors reminded the CC that problem hedges etc can be reported to PKC (G McConnell), who will ask property owners to cut back the vegetation. If they do not, PKC will do it and bill the property owner.

- g. **Minutes:** The secretary apologised for the error in the June minutes but asked that community and ward councillors read draft minutes when they are first sent out, so that any errors can be corrected before wider publication.
- h. **Rail User Group:** CCllr Colliar would like the CC to be more pro-active in supporting local rail campaign organisations. [Railfuture (Scotland) and Transform Scotland.]
- i. **Queen's Tree:** In 2012 CCllr Colliar had contacted PKC's arboreal officer about replacing the missing tree originally planted by HM the Queen in Queen's Crescent but due to extenuating circumstances this was never followed up. To be discussed at the September meeting.

ACTION: CCllr Thomas

- j. **Kinross-shire athletes:** CCllr Colliar proposed that the CC extend their best wishes to Kinross-shire athletes Laura Muir and Eilidh Doyle (née Child) who are about to compete at the Olympic Games in Rio. Agreed. [Post meeting note: good luck wishes expressed on the CC's Facebook page.]
- k. **Provost's Lamp:** CCllr Colliar noted that the Provost's Lamp was missing from the High Street property where the last Provost, the late Tom McBain, had lived. Mrs McBain has previously had the lamp taken down and repaired at her own expense when it was damaged. Cllr Robertson will contact Mrs McBain.

ACTION: Cllr Robertson

- l. **Hearing loop:** CCllr Freeman reported that it would cost c. £300 to buy a portable hearing loop. This is approximately half the CC's annual grant. It was agreed that the CC should write to the Chief Executive to see if PKC could assist with the cost, referring to obligations regarding accessibility. CCllr Bryson will draft something for the secretary. CCllr Jack (treasurer) said the CC has not received its annual grant yet. Cllr Giacopazzi suggested the CC could apply to the Arthur & Margaret Thomson Trust (next deadline 12 October).

ACTION: CCllrs Bryson & Thomas

- m. **Winter Festival brochure:** CCllr Freeman drew the CC's attention to KLEO's appeal for information regarding events in the winter that could be published in its festival brochure.

14. Date of Next Meeting: The next meeting of Kinross CC will take place on Wednesday 7 September at 7.30pm in the Masonic Hall, Muirs, Kinross.

The meeting closed at 9.26pm.

Note: Minutes are draft until approved at the next meeting.