

Minutes of a Meeting held on Wednesday 5 July 2017

at 7.30pm in the Masonic Hall, Muirs, Kinross

**Present:** Councillors Bill Freeman (Chair), Eileen Thomas (Secretary), Margaret Blyth, David Colliar, Barry Davies, David MacKenzie and Thomas Stewart; P&K Councillors M Barnacle, C Purves and W Robertson and two members of the public, including D Cuthbert who was co-opted to the CC during the meeting. (See 5a below.)

1. **Apologies** were received from Councillors J Bryson, I Jack and D West; P&K Cllr R Watters; and PCs A Spalding and D Stapleton.
2. **Declarations of Interest:** Cllr Blyth declared an interest in planning application 17/01018/FLL (change of use at 157 High St). Cllr Thomas declared a non-financial interest in planning application 17/00998/FLL (installation of defibrillator) in that she helped prepare it and her husband submitted it on behalf of Hunters.
3. **Minutes of meeting of 7 June 2017:** Section 11c: Cllr Jack had wished the minutes to clarify that the council had not informed him of a change of address otherwise the accounts would have been sent to the correct office. Cllr MacKenzie wished it added to 11a that it had been agreed that the CC would adopt the practice of writing a letter of thanks to all outgoing ward councillors. Subject to these corrections, the minutes were proposed by Cllr MacKenzie and seconded by Cllr Colliar.
4. **Police Report:** No police present but a report for the period 1 June – 1 July had been sent by email. There were several thefts from insecure cars in Churchill Road and a van broken into in Katrine Place along with a housebreaking in Lomond Place. A female has been charged with several offences and is currently remanded. Two males were charged for stealing and joyriding a tractor from Gallowhill Farm. Residents are urged to make vehicles secure.
5. **Matters Arising from the Minutes of the Meeting of 7 June.**
  - a. **CC Vacancy/Co-option:** The vacancy had been advertised in the June Newsletter and via Facebook. The CC Liaison office confirmed on the day of this meeting that there had been one nomination, for Dave Cuthbert. CC Liaison confirmed it was a valid nomination. Cllr Colliar proposed that Dave Cuthbert be co-opted to the CC, seconded by Cllr Blyth. This was unanimously agreed.
  - b. **Queen's trees:** Cllr Colliar reported that the plaque has been arranged. The Treasurer will pay when the CC grant is received from PKC.
  - c. **Bus stop real time unit:** No update from PKC.
  - d. **Defibrillators and Telephone Kiosk:** Cllr Davies has applied to SSE for funding; result will be known in October. He also intends to apply to the Newsletter Fund.
  - e. **Sponsorship boards at roundabouts:** Cllr Davies has not completed his letter/report yet.
  - f. **Participatory Budget:** Reply received from Mr McNamara of PKC. Most points had been covered by Cllr MacKenzie at the previous CC meeting. Cllr Purves reported that there will be no change to Action Partnerships in this financial year but they are part of the Council review and there may be a different format next year. The Action Partnership meets in August so the CC will expect feedback at its September meeting. Cllr Cuthbert wondered if there will be a health and social care participatory budget here. Cllr Purves will find out. **ACTION: Cllr Purves.**
  - g. **Gallowhill Road:** Cllr Robertson had contacted PKC Roads Dept; double yellow lines at Gallowhill Road's junction with Muirs had not been progressed last year. Daryl McKeown has offered a site visit. Cllr Robertson would welcome Mr Alexander, who had raised the issue, to attend. **ACTION: Cllr Robertson.**
6. **Planning Matters.**
  - a. **New Planning Applications:**  
**17/00890/FLL** Change of use from bookmakers to hot food takeaway (class 3) with external seating area and installation of flue and **17/01023/LBC** Alterations at 121 High Street, Kinross. Cllr Colliar had

checked that the outside seating area will not impinge on to the public footpath. Cllr Thomas was concerned there would be an increase in (illegal) parking on the shared space, though this is an enforcement problem. No CC comment to be submitted.

**17/01018/FLL** Change of use from retail (class 1) to café/takeaway, Kintronics, 157 High Street, Kinross, for Angel Cakes (Angela Hendry). The applicant had posted further information on the CC Facebook page. The plan is for a tearoom specialising in home baking, nice coffee and speciality teas, selling celebration cakes and running classes. No CC comment.

**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) at **land 300m NW of Lathro Farm**, Kinross, for Persimmon Homes Ltd. There was some discussion relating to this application and the Lathro site more generally. Cllr Thomas proposed that the CC object to this application. This was seconded by Cllr Davies and there were no counter-proposals. A reason for objecting is that this application, like the application for 300 houses before it, requires the destruction of several mature oak trees, which are important from a visual and biodiversity point of view. The applicant has not provided a Protected Species Survey and Assessment. This is required because the trees are a possible habitat for protected species. The proposal breaches Council policies on protecting woodland. Original reasons for objecting to 15/01512/FLM also apply, e.g. the proposal does not comply with the LDP as the LDP allocated number is being exceeded. The proposal to move the SUDS drainage further from the housing units should be scrutinised as this may affect efficiency. It should be asked whether this application affects the social housing element in the original application. **ACTION: Secretary.**

Cllr Barnacle expressed concern about the piecemeal approach by the developers; there have been several small applications for this site since the original application for 300 houses was given consent. A scheduled meeting between ward councillors and a planning officer to discuss this and other related matters was cancelled but another is being arranged.

During discussion of this application, the point was made that unless there is a Tree Protection Order (TPO) in place, policy protection for trees is poor. Trees in Conservation Areas have greater protection. (In effect, an automatic TPO.)

**17/00994/FLL** Subdivision of flat to form 2no. flats at 25 Causeway Court, Old Causeway, Kinross, for the Director of House and Community Care, Perth & Kinross Council. No CC comment.

**17/00998/FLL** Installation of an automated external defibrillator and CCTV camera at Hunters Butchers, 104 High Street, Kinross, for Hunters of Kinross c/o Gareth Thomas. There was a brief discussion regarding the position of the proposed CCTV camera. No CC comment.

**17/01049/FLL** Erection of a dwelling house, garage and stables and formation of vehicular access (revised design), land 120 metres West of Chance Inn Farm, Kinross. Cllr Stewart asked a question about the location. Cllr Barnacle said this application would be assessed on Housing in Countryside policy. No CC comment.

**b. Planning Applications Determined by PKC:**

- 17/00201/FLL Erection of garage and ancillary accommodation, 103 Lathro Park, Kinross. Approved.
- 17/00691/FLL Erection of a dwelling house, land 70m E of Monega House, Hatchbank. Refused.
- 17/00789/FLL Alterations and extension to dwelling house, 34 Argyll Road, Kinross. Approved.
- 17/00825/FLL Change of use of part of dwelling house and alterations to form dwelling house, 22 Curate Wynd, Kinross. Approved.
- 17/0087/FLL and 17/00914/LBC Alterations, extension and erection of office building, Courthouse Restaurant, 21-25 High Street, Kinross. Approved.
- 17/00994/FLL Subdivision of flat to form 2no. flats at 25 Causeway Court, Old Causeway, Kinross, for the Director of House and Community Care, Perth & Kinross Council. Withdrawn.
- 17/00752/FLL Alterations and extension to dwelling house, 7 Torridon Place. Approved.

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

- i. **Old Causeway Car Park** (Millbridge Hall): During discussion of planning applications in 6a, Cllr Cuthbert suggested that more provision could be made here.
- ii. **Letter to Scottish Government:** Kinross-shire Civic Trust (KCT) had sent the CC a copy of KCT's letter of 4/7/17 to Kevin Stewart, Minister for Local Government and Housing. In this, KCT adds its voice

to a request for an inquiry into the planning procedures at Perth & Kinross Council, Scone CC having made a similar request. KCT asked Kinross CC for support and input toward the call for an inquiry. The KCT letter was very lengthy. The CC understood the email from KCT as a request to endorse the whole KCT letter, which some were reluctant to do. A vote was taken on whether to endorse the KCT letter or to write a letter of the CC's own. The latter course of action was decided on. *[Post meeting note: in fact, this is all KCT had meant by its request to the CC.]* It was agreed that the Secretary would draft a letter to Kevin Stewart to be circulated to the rest of the CC for comment before sending. **ACTION: Secretary.**

- iii. **Nick Brian/Lathro Farm:** After a third reminder, Nick Brian had responded more fully to the CC's letter of 10 April. This response was still not particularly detailed and did not answer all the points raised in the CC's letter, e.g. there was no response to the CC's request for a Tree Preservation Order on the Lathro oaks. Mr Brian said that "In terms of a re-consideration of planning issues by the Development Management Committee, there is no process for an application to be referred back for this." Regarding transport infrastructure, representatives of the CC will be invited to a demonstration of the traffic model.
- iv. **Scottish Government Planning review:** Scottish Ministers have published a position statement which sets out the changes they are considering taking forward following the planning review earlier in the year. An email received from PKC gives a link to the Strategic Environmental Assessment Environmental Report which looks at the likely impact of proposals. Next consultation runs 29/6/17 - 11/8/17.
- v. **Moratorium on house building:** Cllr Robertson recently proposed to PKC's Peter Marshall that there should be a moratorium on large scale housing developments in the Kinross area until junction 7 is fully upgraded to a four-way junction. Cllr Cuthbert proposed that the CC write to PKC Planning in support of this. Agreed. **ACTION: Secretary.**
- vi. **LDP2/Forum:** Cllr Barnacle had been in contact with PKC's Peter Marshall about matters potentially covered by PKC's Local Development Plan 2 (expected to be published in the autumn). Mr Marshall encouraged Cllr Barnacle to raise the matters in advance of publication of LDP2. It was proposed that a Kinross-shire CC Forum meeting should take place, with two or three representatives from each CC. Cllrs Colliar, Cuthbert and MacKenzie volunteered to take part. **ACTION: Cllr Barnacle.**

7. **Kinross Town Centre Regeneration:** The CC had received notification from PKC that the variation of traffic order to slightly extend the 20mph zone in Kinross High Street has been approved by the EEI Committee on 14/6/17. Cllr Cuthbert asked when the bollards for the single carriageway area are expected. Cllr Robertson will check. **ACTION: Cllr Robertson.** Council officers are still working on the possibility of a second controlled crossing for the south end of the regenerated area. Ward Councillors said PKC's 20mph policy is to be reviewed.

[Brought up under AOCB]: Cllr Davies noted that the new puffin crossing in the High Street takes a long time to signal a safe crossing for pedestrians from the time of pressing the button. It was explained that the crossing is designed to wait for a gap in the traffic to assist traffic flow. However, the time is perhaps too long.

8. **New Primary School:** Cllr MacKenzie had contacted Brian Reid to ask for an update. *[Post meeting note: update received on 6/7/17 and circulated by email.]*

9. **Miscellaneous Correspondence:** Approximately 45 communications had been received since the last meeting. Most had been circulated to CC members and a summary provided. Some items had been covered under other agenda items. Items discussed at this point of the meeting were:

- a. **Community Youth Team:** A member of the public had suggested via the CC Facebook Page that this would be a good idea. Youths get involved in community projects helping the police, fire service, do clean-ups, learn life skills. The Secretary will email the community Police. **ACTION: Secretary.**
- b. **Springfield Road:** Having been unable to get hold of a ward councillor, a resident in the Springfield estate had asked a CC member to visit to examine the quality of maintenance of grass areas on Springfield Road. Cllrs Davies and MacKenzie had responded. Cllr Davies explained that, in spring/early summer, PKC staff avoid cutting grass areas where spring bulbs have been planted to allow the leaves of the flowers to die back to improve the bulb for the following year. However, this year the grass was left for

a long time and then, when cut, large, long clumps were left which did not look good and blew around. Cllr Purves will ask what the maintenance programme will be next year. **ACTION: Cllr Purves.**

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

**Environment:** Cllr Purves informed the CC of a £750k spending plan recently approved at Council; £500k will be put to road repairs and £250k to tree maintenance and play parks.

**Yellow lines:** Cllr Purves is checking on the situation regarding double yellow lines in Muirpark Road.

**Verges:** Cllr Barnacle said there will be extra money for verge cutting, especially at junctions.

**Kirkgate toilet:** After consultation with PKC officers, Cllr Barnacle has been able to pass on some possible solutions to the member of the public who had complained to him about the Automated Public Convenience in Kirkgate Park frequently being out of order.

**Kinross Common Good Fund:** Cllr Barnacle is now the Convener of the KCGF Committee. At a recent meeting (28 June) the committee approved a grant to Light Up Kinross. An application from Kinross High School was rejected. A grant was made to the P&K District Scout Council (lesser than that applied for).

**11. Any Other Competent Business.**

- a. **Employment:** CCllr Cuthbert wondered if PKC had any focus on creating employment in Kinross-shire. Cllrs Barnacle and Purves, who are on the EEI committee, will have a meeting with relevant officers.  
**ACTION: Cllrs Barnacle & Purves.**
- b. **Choking prevention:** CCllr MacKenzie referred to the great work being done locally to provide defibrillators. He then raised the issue of responding to choking. In some countries, restaurants have diagrams showing the Heimlich manoeuvre and wondered if that could be done here. CCllrs Thomas and Davies said that the recent First Aid courses organised by Pamela Hunter included instruction on this. When a second defibrillator is obtained, more courses can be run.
- c. **Grounds maintenance:** In response to CCllr Davies, Cllr Robertson will check the grass area around the leisure centre. **ACTION: Cllr Robertson.**
- d. **Muir Grove:** The CC commented on the Council's disorganised approach to works on Muir Grove. Following the supposed start date of the traffic order, there was a delay of approximately two months before lines were painted. They were in place for a very short time before being dug up to allow road resurfacing.
- e. **Chance Inn potholes:** CCllr Stewart reported that these have been filled to a high standard.

**12. Date of Next Meeting: Wednesday 2 August 2017 at 7.30pm.** Apologies given in advance by CCllr Blyth.

All minutes are draft until approved at next meeting.