

MUCKHART COMMUNITY COUNCIL

Minutes of the Meeting of Muckhart Community Council, held via MS Teams, on Wednesday 28th October 2020, at 7:30pm

Present:	John Anderson (JA)	Chair
	Patrick Thompson (PT)	Vice-Chair
	Mike Wilson (MRW)	Secretary
	Philip Lord (PL)	Minute Secretary
	Jonathan Bacon (JB)	
	Stuart Dean (SD)	
	Jon Jordan (JJ)	
	Matthew Pease (MP)	
	Marlene White (MW)	
	Val Whyte (VW)	

Councillor Graham Lindsay, Lesley Baillie, Community Planning Adviser;
Lynda Williams (for John Nicolson, MP); several residents

Status: **Approved**

1. Apologies for Absence

JA welcomed members, Councillor Graham Lindsay, Lynda Williams, Lesley Baillie and several residents to the meeting which was being held, via MS Teams, due to the current Coronavirus situation.

Apologies for absence had been received from Councillor Kathleen Martin, PCs Barry Ritchie and Barry Reiter and members Peter Wyatt (PW) and Danny Conroy (DC).

2. Declarations of Interest

Re discussion of the forthcoming City Region Deal 'Hills and Glens' meeting, SD noted an interest, as Chair of Friends of the Ochils; JJ, as an EPIC Trustee; and MP, as a representative of the Heritage Trust.

3. Minutes of Meeting on 2nd September 2020

The Minutes of the meeting of 2nd September 2020 were accepted without amendment, proposed by SD, seconded by JB.

4. Matters Arising

- Re Item 4 Matters Arising, 2nd September, first bullet (Woodlands: Arndean Path): SD reported that the timber had now been successfully removed from the adjacent SSSI and a pathway to the viewpoint, had been identified. PL noted that this had now been signposted.
- Re item 4, Matters Arising, 2nd September, second bullet (Muckhart Primary School: Update): MRW noted that further to the last meeting, he had been in regular contact

with the Head of the Council's IT Department and a representative from the Council's telecoms supplier, Briskona. Several long term solutions to improve the broadband service at the school were under investigation and it is anticipated that this would also improve the level of service available to other properties located close by and in the neighbourhood of the school. Briskona has been in contact with BT OpenReach regarding future solutions and MRW has supplied property addresses and postcode information to support a survey that is being undertaken which would take advantage of UK and Scottish Government broadband improvement voucher schemes. The school has been identified as a possible 'Point of Presence' for a fibre cabinet which, in turn, would offer an improved fibre-based solution to nearby properties. A back-up solution, based on Wi-Fi telecoms, has also been discussed which, in turn, would rely upon the agreement of a local landowner for the installation of a transmitter mast on land close to the Japanese Garden.

- Re item 4, Matters Arising, 2nd September, third bullet (Correspondence: second bullet point, re dog noise): PT reported that the property in question was now under investigation by the Council's Environmental Health team and that monitoring equipment had been supplied to a property close to source of the problem. A decision from the Council's Planning team regarding this issue is still awaited. This issue will continue to be monitored.

5. Police Report

The Police Report showed that there had been no crimes reported in the area since the last meeting.

The Report was accepted by all and JA thanked the Officers for their input.

6. Muckhart Lend a Hand: Update

MRW has been in regular communication with Muckhart Lend a Hand's (MLaH) Co-ordinator, Fran McNicoll, which continues to support some four or five households in the Muckhart area. Several recent communications from the Council and the CTSi have been received regarding support for individuals being forced to self-isolate due to testing positive for Covid-19. A request for ideas has been submitted to MLaH volunteers regarding possible solutions for alternative payment methods for those individuals who are self-isolating, and who only have access to cash, to pay for shopping and other goods purchased on their behalf. A follow up email will be sent to the Council with any suggested ideas.

ACTION: MRW

7. Scheme Consultation (including Community Council Boundaries, Governance, etc.)

Lesley Baillie outlined the need for the CC Scheme of Establishment to allow Community Councils to continue to perform their statutory duties in times of emergency, as is the case with the current Covid situation. LB noted that any change to the Scheme requires a statutory consultation and to cope with the current, and possible future, situations, proposals had been drafted and circulated. LB asked residents to respond to the current public consultation, regarding any proposed boundary changes, which will then move forwards to the next phase, regarding possible changes to the current Scheme.

MP asked how long MCC and residents had to reply to the current consultation. LB confirmed that the consultation was open until 4th December, though there may be some room to extend this, if required. The Officers, together with MP, will meet to discuss MCC input into the current phase of the consultation which will be agreed, subsequently, at our next Meeting.

ACTION: JA

8. H49 Planning Application Appeal: Update

SD reported that earlier in the day MCC had been advised, that, contrary to the wishes of MCC and the wider community, the Reporter, assessing the appeal by Springfield to the Council's rejection of the application to build 50 houses on site H49, had issued a Notice of Intention intimating that he was minded to grant planning, subject to the agreement of conditions relating to Section 75 of the Town and Country Planning (Scotland) Act 1997.

SD noted that while the Notice contained some inaccuracies, we are now at the end of the appeal process. The only possible recourse now, as he understood it, was to challenge the Reporter's decision in the Court of Session which would not only be expensive but which also could only be done by contesting specific points of law. SD suggested, however, that MCC should express its clear disappointment with both the outcome and the process, on behalf of our community. It was suggested that MCC issue a statement to the local press, as soon as possible, and that further action should be discussed. This was agreed unanimously.

ACTION: SD/JA

JJ confirmed the view that a legal challenge would not only be expensive but would be likely to be unsuccessful, noting that out of 14 recent cases, only 3 had been successful. The challenge has to be on a point of law or a clear demonstration of a misinterpretation of documents received. He noted that the decision totally ignored the democratic process.

MW agreed and stating that MCC should not let this decision rest and that our exasperation with the planning system should be clearly expressed, suggesting that comments should be added to our Facebook page about this. JA suggested that this could be done but perhaps not immediately.

Resident Alison MacDonald stated strongly that residents living next to the proposed access road would be the first, and main, sufferers from the development. She had spoken to them earlier in the day and wished to register their dismay. AMac also stated that the decision and process were utterly undemocratic with which members concurred.

JJ noted that the Reporter had made reference to the "economic" use of the land with 50 houses and had made reference to the possible future use of the remainder of H49 which did not fall under the current proposals. MCC should be aware of this situation arising again either on the remainder of site H49 or on adjacent land, such as to the east of Maudie's Loan.

In conclusion, JA thanked all those who had made enormous efforts to challenge this development.

9. Flooding in Kirkhill

JA drew attention to the problem of flooding in Kirkhill, noting that it had occurred three times this year. It was noted that two major watercourses feed the burn that runs through Kirkhill and that all of the agencies concerned, including the Woodland Trust, Stuart Cullen, the Council's Flooding Officer, and, possibly, a contact from SEPA, would join JA and JB at a meeting on 2nd November to discuss this issue. MW offered her experience to help deal with this problem since she had lived, for some years, in Kirkhill.

ACTION: JA

10. Muckhart Community Plan: Updates

The following updates were noted:

a. Infrastructure Working Group (IWG)

MRW reported that he had earlier collected the Pop-up "Police" from the Council and that these were now being deployed by members of the Parent Council. He had also been in contact with the Roads Department who had confirmed that contractors would be installing Deer Warning signs, at agreed points along Golf Course Road / New Broadmeadows and that No Through Road signs, at the A823 end of Beech Loan, leading to Maudie's Loan. The works at the zebra crossing, by the Coronation Hall, still await a start date, as these would rely on the co-ordination of three different contractors, dealing with lighting, road signs and road marking works.

JJ noted that he had a visit from the Police regarding his trees, which overhung the road and were reported to be impairing driver visibility on the approach from Dollar. This issue had now been dealt with.

MW noted that the new road surface, on approach to the Cowden bends, on the A91, appeared to be very smooth and asked if it would provide good road adhesion. MRW agreed to follow-up.

ACTION: MRW

b. Public Transport: X53 bus service

PL reported that a video conference, regarding the new X53 bus service had taken place, the previous Friday, with Andrew Jarvis, from First Bus, who is responsible for this service. Marion Robertson facilitated this meeting which was also attended by Mark Ruskell, MSP. AJ explained that First Bus was planning, shortly, to start a marketing campaign, such as a leaflet distribution, to help promote the service and he was advised of the MCC contact that could help with this. AJ noted that the forthcoming Young Persons concessionary travel scheme should also help the service and that he is willing to attend a future MCC meeting, if it would help promote the service.

AJ also provided some useful statistics: the service was based on what one bus availability could do, requiring 1.5 FTE drivers at a total cost of circa £130K per annum, noting it gets no Council subsidy. First Bus believes there is a market for a 2-hourly service; at the moment they have some 80 to 100 customers, per day, and anticipate growth at Kinross.

Marion Robertson noted that there is a push to engage the Bus Passenger User Group to get involved and that she and PL would be taking this further.

ACTION: PL

11. Planning Sub-Group

9a: MIR/LDP update

SD reported that there was a realisation within the Council that, if the LDP process continued, as is currently planned, then the revised LDP would be ready around the same time as the new National Planning Framework 4 was due to be introduced and, consequently, it would need to be revised, immediately, in the light of this. The Council, therefore, has decided to continue work on the Plan but will not finalise it until the new Framework is established.

9b: Planning Applications

SD noted that three new applications had been received since the last meeting:

1. The erection of a new Church notice board: the Planning Sub-Group had objected to this, on the grounds of its size and its unsuitability for the Conservation Area
2. The building of a shed, at Cowden: the Sub-Group has supported the proposed works
3. Tree work at Birkhill: the Sub-Group has supported the proposed works, so long as they are carried out in accordance with the LDP, particularly, Policy EA7

SD also noted, regarding the new Muckhart Mill roof, that the application had now been amended taking account of our earlier representation

12. Muckhart Primary School: Update

VW reported that the school's Parent Council would be holding its next meeting on 9th November and that she would liaise with Mrs. McGlinchie and report back on anything with which the school may need assistance, moving into December / January.

VW also noted that the paths leading to the school will require to be kept clear in the event of any extreme weather, as the majority of parents are walking their children to school from the Coronation Hall.

13. Treasurer's Report

DC had presented the Treasurer's Report, noting that on 30th September 2020 the balance of the account stood at £922.11 (*note: the date shown against the Balance, in the Report distributed, should read 30th September and not 31st August*).

The Report was accepted by members.

14. JCCF: Update

In DC's absence, JA gave a brief update having attended the last JCCF meeting. The main item discussed was the question of the Scheme of Establishment (see item 7 above) which MCC will comment upon.

15. Correspondence

MRW noted that the correspondence items, highlighted for discussion, had been dealt with in earlier agenda items. He thanked members for providing their feedback on ideas for Community Council training which has been forwarded to the Council.

- JJ commented on the email issued by the Scottish Government, re Scotland's Climate Assembly, stating that the advice provided should be followed to help positively influence future policy (see email of 27/10/20).

16. Community Council Elections: Update

MRW noted there was nothing new to report and that further to the earlier email, from Lesley Baillie, CC elections are likely to take place next year when it is deemed safe to hold them.

17. AOCB

MRW noted that several residents had contacted MCC, to report incidents involving red squirrels and deer being run over, which reaffirmed the need for road warning signs for Golf Course Road (see the post on the MCC web-site dated 8th October).

MRW also noted the report of a road safety issue involving a car which is parking, on a regular basis, across the pavement, opposite the Muckhart Inn. To get past the car, pedestrians are forced to leave the pavement and to walk on the main road which, in turn, is endangering both pedestrians and passing traffic. MRW agreed to monitor this and would follow-up, if this continues to be an issue. **ACTION: MRW**

JA noted that, due to the current Covid situation, following this year's Remembrance Service at the Church, on 8th November, there would be no wreath laying ceremony at the War Memorial.

VW noted that although this year's Light up Muckhart event will be going ahead, it will a slightly different event this year, due to the current Covid situation. Residents are advised to watch out for an announcement re a date for this event and details of what will be happening.

JJ noted that the electric vehicle charging point had been installed by the Council, at the parking space, opposite the Hall, but that it was not yet operational. MRW agreed to follow-up with the Council, commenting that it is likely that the installation has yet to be completed due to the current Covid situation. **ACTION: MRW**

18. Date of Next Meeting

JA thanked all for their attendance.

The next MCC Meeting will be held on Wednesday 2nd December 2020, at 7:30pm, via MS Teams.

The meeting closed at 9:10pm.