

DRAFT Minutes of a meeting of Kinross Community Council
On Tuesday 27th August 2024 at 1930 hrs
In the Masonic Hall, the Muirs, Kinross

Present: CClr W Freeman (Chair), CClr P Chan, CClr E Leslie, CClr S Wells and CClr C Willsher

Ward Councillors: Cllr D Cuthbert, Cllr N Freshwater, Cllr W Robertson and Cllr R Watters

Members of the Public: 12 approx.

Minutes: Mrs C Aird

1. Welcome and Introductions

In the absence of CClr L McKay, CClr W Freeman advised he would chair the meeting and welcomed everyone to the meeting.

2. Apologies for Absence

Apologies had been received from CClr L McKay, CClr K Spain and Police Scotland.

3. Declarations of Interest

There were no declarations of interest or transparency statements made in respect of any item on the agenda.

4. Police Scotland Report

Representatives from Police Scotland were unable to attend tonight's meeting but had submitted a report.

Since the last meeting on 23rd July 2024 there had been approximately 92 calls to Police from the Kinross area with 16 crimes recorded on Police systems within this period.

Crimes of note (since last meeting)

DATE	OFFENCE	RESULT
05/08/2024	Theft of number plates for vehicle (Kinross Park and Ride)	Subject to live investigation
10/08/2024	Dangerous driving (Station Road, Kinross) MO – Drive vehicle at excessively high speed with multiple pedestrians being present	Subject to live investigation
15/08/2024 - 19/08/2024	Theft of pedal cycle (Kinross Primary School)	Subject to live investigation

Traffic Statistics

Community officers are aware of regular areas where there are complaints about speeding in and around Kinross. These have all been added to our speeding matrix and we will continue to make efforts to carry out speed checks across the area during our patrols.

Officers from Kinross have been carrying out speed checks in the area over the last month, most notably on Station Road in Kinross. This resulted in drivers being charged for speeding offences.

Whilst on mobile patrol on the High Street, Kinross, on 12th August, traffic officers had cause to stop a vehicle which was found to have no insurance. The driver was also reported for driving whilst being disqualified and attempting to pervert the course of justice.

Community Team Activity

We often post on our Twitter page @PSOSPerthKin with updates on what we are doing active in the local area under #KinrossCPT.

On Saturday 12th October 2024, Constables Samson and Duncan are holding a community drop-in session in their community van. The purpose is for people to drop in for a chat about any issues in the local area, what they wish from local Police or just a general chat. There are no appointments necessary. They will be based at the Loch Leven community campus with proposed times from 1000 hours to 1400 hours. More details will be shared on their social media pages closer to the time.

On Saturday 10th August 2024, PC Ben Samson and Sgt Mark Craig from Kinross Community Policing Team were delighted to be out supporting the Kinross Show. The organisers put on a fantastic event which was well supported by the local community.

5. Minutes of Meeting held on 23rd July 2024

The minutes of the July 2024 meeting were accepted as an accurate record and were proposed by CClr C Willsher and seconded by CClr S Wells.

6. Matters Arising from 23rd July meeting

- **Safety Concerns at La Casanova/The Tartan Kipper**

No update was available due to CClr Mckay's absence.

ACTION: CClr L Mckay

- **Community Action Plan**

CClr Freeman advised that while he had contacted Laura Martin, he had not received a response. He will chase again for an update.

ACTION: CClr W Freeman

- **KCC Website**

CClr Leslie advised that KCC had not finalised discussions so she will continue to email Ms Phillips (Editor) to make changes and continue as is.

ACTION: CClr E Leslie

- **BCA Site**

It was noted that the site had been cleared temporarily with Cllr Watters advising that two objections to the flood works were still pending. This could mean that the case goes to a local hearing which could in turn add time to the process.

- **Community Investment Fund**

CClr S Wells advised that she had forwarded the information to Milbridge Hall.

- **Double Yellow Lines @ Primary School**

CClr Leslie advised that she had contacted the local MSP who had advised that the request was in the works plan and it was a matter of waiting. She will raise the issue at the next school meeting on 10th September.

ACTION: CClr E Leslie

A member of the public commented that double yellow lines would only be successful if they were monitored regularly and asked how often this would happen. CClr Leslie advised that

she had been informed that traffic wardens would visit regularly with Cllr D Cuthbert advising that the situation would be monitored if and when asked.

- **Glenfarg-shire Stronger Community Meeting**
Cllr K Spain will provide an update at the next meeting.

ACTION: Cllr K Spain

7. Community Council Boundaries

- **Old Mart Lane/Old Mart Wynd**

Members were advised that Milnathort and Orwell Community Council had been in touch to advise that both Old Mart Wynd and Old Mart Lane appeared to have been moved into the Kinross CC area in error, despite agreeing to this move some years ago.

MOCC advised they had requested that this be corrected with PKC but in order to ensure that they are not “poaching” territory, it was required to be minuted and agreed by us at a KCC meeting

It was agreed that Old Mart Wynd and Old Mart Lane should be moved back into MOCC and Cllr Mckay was asked to respond.

ACTION: Cllr L Mckay

Cllr Willsher asked if it were possible to get an up-to-date map showing the CC boundaries and Cllr R Watters advised that once the Milnathort situation was updated the maps should be automatically updated, however he would ask the Planning Department to update the map.

ACTION: Cllr R Watters

8. Kinross Town Centre

- **Parking at tennis courts/Station Road**

It is hoped that the double yellow lines mentioned earlier in the meeting will help to resolve this issue, although it is unclear how far along Station Road these would go.

- **Old Cleish Road Development**

Cllr W Robertson advised that there had been a meeting earlier that week to discuss the situation where the fence is blocking a right of way. It was noted that planners had classed the land as for employment use and therefore it is unlikely that they acted. Cllr Robertson advised that a special order against the developer to force them to act had been raised, and if the developer does not adhere to this, they could receive a substantial fine.

It is planned to meet with the land owner this week and whilst they had previously ignored PKC letters, they now realise the seriousness of the matter.

A member of the public commented that the planning enforcement notice had been raised because of the land use but it is now more than one year since work was done. They had been told that it was a complex case but no further information was available. Cllr Robertson commented that PKC were risk averse and that is why it had taken so long to get to this stage with Cllr N Freshwater advising that the special order had forced the landowner to apply for planning permission.

Cllr Wilsher advised that PKC had taken legal action which specified conditions that had to be met (Section 71 which protects the amenity and public access) and that the development itself is not something anything could be done about.

A member of the public raised concerns that there were 3 HGV companies on site, none of which had the appropriate licence, and work was taking place from early morning to late at night. Cllr Robertson advised the concerned residents to write to enforcement officers at PKC with a list of conditions and concerns.

A member of the public also enquired about the South Kinross flood defence scheme, which covers this area and asked if the work would have an impact and whether, at some point, the work could be joined up. Cllr Freshwater advised that the area would be excluded from the flood defence work.

Cllr Robertson reiterated that residents should write to enforcement officers (Sean Panton and Mark Dunlop), copying the ward councillors, their MSP and MP into the correspondence. They should include conditions which need to be met including noise levels, working hours, licences, for example. Cllr Willsher agreed to share the correspondence had received on this issue with the member of the public.

ACTION: Cllr C Willsher

Cllr Wells asked if there was anything KCC could do to help and Cllr Robertson advised that they should be copied into the letter to enforcement officers, which should state that KCC support the terms and conditions being requested.

9. KCC Website

Discussed earlier in the meeting.

10. Planning Matters

(a) Planning Applications Received

24/00886/LBC - internal alterations at Mossgrove, 18 Muirs, Kinross, KY13 8AS

24/01116/IPL - erection of replacement dwellinghouse (in principle) at Cavelstone, Kinross, KY13 9JT

24/01030/FLL - installation of plant equipment at 65 Station Road, Kinross, KY13 8FH (Sainsburys Supermarkets)

24/01139/LBC - take down and reconstruction of chimney stack and part gable, including stone repairs and repointing at 10 Brewery Lane and 13 School Wynd, Kinross, KY13 8EJ

24/01163/FLL - erection of agricultural building, formation of access track and associated works at land 30 metres south west of Leiland House, Balado

(b) Planning Applications Determined

24/00733/AML - erection of a dwellinghouse (approval of matters specified in conditions of 23/01607/IPL) at land 45 metres north Of Chance Inn Farm, Kinross, KY13 OLE (**APPROVED**)

(c) Other Planning Matters

24/01115/FLL – alterations to dwelling house at 35 Simpson Wynd, Kinross, KY13 8GP

Cllr Freeman advised that a resident, in Simpson Wynd Ms Lisa Love, had contacted KCC to ask for this item to be discussed due to the concerns of a number of residents and invited her to speak to the meeting.

Ms Love advised that the planning application was submitted (in retrospect) for a garage conversion and that despite the application stating work had not commenced, it had, without approval being given prior to commencement.

While residents were happy for the conversion to go ahead, they wanted to raise a number of concerns relating to the property, which was sold as a 4-bedroom residential property. The owner is a businessperson, and as such is running his business (teaching the English language to non-speakers and mini tours of Scotland) from the property which results in a number of students paying a fee for learning and accommodation for a 4-day course. The property is in a residential and conservation area and has increased to a 6-bedroom property, following the conversion of the garage and also the dining room into another bedroom.

The owner is operating without the appropriate planning permission, change of use or safety certificates and is also breaking the burden in deeds by using the property as a profit-making, small hotel type business with a number of different people in and out of the property each and every week which is not in keeping with the estate, which is largely a quiet, family community. There are also safeguarding concerns.

Cllr Watters advised that the PKC policy is clear in that the property cannot be run as a short-term let (STL) and that planning does not allow STLs if there is no other STL in the area. Cllr Robertson advised that a STL can be applied for, without planning permission, but that it would not commence until planning had been approved. It was noted that a temporary STL is valid for 6 weeks.

Cllr Willsher suggested that the residents needed to get legal advice and also suggested contacting Persimmon Homes solicitors to discuss the situation with them.

Cllr Cuthbert advised that as there were now six objections, this will trigger the system to highlight the application which will be discussed by the Planning Committee and as such, residents are able to go along and put their concerns to the Committee. Obviously, if the application were denied, work would need to stop immediately.

In response to a question from Cllr Leslie as to whether there was anything KCC could do, she was advised that a letter of objection could be submitted. It was agreed that Cllr Willsher would do this before the deadline of 6th September 2024.

ACTION: Cllr C Willsher

Ms Love and the residents thanked the CC for their time.

11. Reports from PKC Councillors

Cllr Freshwater advised that the Craighead Wind Farm application had been submitted to PKC. He also advised that that rollout of the 20 MPH speed limits had commenced across the area.

Cllr Robertson advised that he was meeting with PKC officers soon to discuss what could be done to improve the Mill Street area which, he felt, was looking run down, with a lack of storage facilities for refuse bins and bicycles. There was also antisocial behaviour in the area. He had also asked officers to consider using the Area Based Fund as revenue for the costs.

Cllr Robertson also advised that he and Cllr Freshwater had met the new owners of Todd and Duncan recently who intended to invest a substantial amount of money into the company (circa £30 m).

Cllr Cuthbert advised that Community Investment Fund was now open for applications, with a panel meeting arranged for 18th September. KCC would be invited to attend the meeting.

He also advised that, following concerns being raised by 3 different people, he had asked PKC to contact the owner to discuss the situation with regard to the vehicles which sit on private land and for a resolution to be found.

Cllr Cuthbert also raised concerns with side drains which was encouraging drivers to drive closer to the pavements which was a safety concern for pedestrians.

He had also advised that PKC had contacted all councillors to advise that the roadworks in The Muirs would now be undertaken in 50 m stretches as opposed to 100 m stretch.

Cllr Watters advised that the active travel master plan had now been agreed but the challenge was now to deliver the plan. PKC would be joining up with other active travel groups and funding was awaited from Transport Scotland.

The ban on parking on pavements has been rolled out across Scotland would be implemented in Kinross shortly. It was also noted that all roads which were a 30 MPH limit would reduce to 20 MPH.

Cllr Watters also advised that there had been an event last week with the Forth Rivers Trust with a view to improving the landscape around the Loch as well as the water quality, with £260,000 funding available to improve the whole of River Leven. Volunteers were also required for this work.

12. Reports from CC representatives

Cllr P Chan asked where the straps for refuse bins could be obtained from, as a number of bins had been blown over in the recent winds. Cllr Watters advised Cllr Chan to contact the library, or the local councillors who will chase these up.

ACTION: Cllr P Chan

Cllr Leslie enquired again about the VAS on Gallowhill Road, which was still not operational. Cllr Cuthbert advised that the VAS required to be connected to electricity and he had raised the issue again with Sean Panton earlier in the day.

Cllr Freeman enquired who was responsible for the removal of the burned-out vehicle in Springfield Road, as he had been advised that PKC would only send a road sweeper. Those present were advised that it was the owner's responsibility. If the owner/insurer did not remove the vehicle, it would fall to PKC to do so but that could take a few months.

In Cllr McKay's absence, Cllr Freeman raised the following issues on her behalf:

- High Street wall and subsidence at Greens, the damaged lamp post outside central chippy and the bus stop repair should all be uploaded to the **myPKC portal** (<https://my.pkc.gov.uk/>)
- There is a meeting of the Kinross-shire local action partnership on 4th September at 6.30pm at LLCC but unfortunately no-one was available to attend.
- Hedges at the end of Springfield Road and Muirs (both sides) as well as overhanging hedges in Montgomery Way. Cllr Watters will take forward the issue with the hedges at Springfield Road, and Cllr Willsher has raised with PKC. Both issues should be added to the **myPKC portal** (<https://my.pkc.gov.uk/>)

- Speeding in Gairneybank – as discussed under the Police Report, all areas experiencing issues with speeding have been added to the matrix.
- Camping and damage to grass at Kirkgate park was also raised with Cllr S Wells reporting that she had seen a number of tents which had been pitched overnight, and which had left scorch marks in the grass due to fires/barbecues. She noted that there are signs prohibiting overnight parking and questioned whether there should be better enforcement. Cllr Leslie advised that the park is due to be upgraded and wondered whether charges should be brought in for parking, or height restriction barriers erected.
- Community Investment Fund – there is a meeting arranged for 18th September and Cllr Freeman will attend.
- Concerns with Loch Leven Surgery statement on social media and possible removal of patients - a message had been posted on the KCC Facebook page regarding the removal of patients who had been abusive to staff. While KCC understood the action which may be taken by the surgery, it was agreed that this was not an issue for KCC.
- Footpath between Lathro Lane and Dalwhamie – a message had been posted on the Facebook page looking for an update as traffic, particularly vans/minibuses are driving through gardens. Residents had asked for bollards to be erected but there appeared to have been no progress. Cllr Robertson advised that he would check on the progress as he believed that the bollard had been ordered.

ACTION: Cllr W Robertson

It was noted that the roads were still the responsibility of the developers as they had not yet been adopted by PKC.

13. Licensing Applications

No applications had been received.

14. Correspondence

- KCC Insurance – Cllr Leslie will deal with this.
- **ACTION: Cllr E Leslie**
- Remembrance Parade – Cllr Freeman advised that there was a meeting arranged for 2nd September (by Zoom) to discuss the arrangements for the Parade. Cllr Wells will attend the meeting along with Cllr Freeman. It was noted that the Masonic Lodge had offered the use of the Hall after the parade and Cllr Freeman asked for donations of food from the local community.
- Kinross Boathouse Public Toilets – an email had been received from Historic Environment Scotland with regard to the requirement for a permanent building warrant for the public toilets at Kinross Boathouse and ongoing proposals for the Boathouse redevelopment. The current temporary building warrant for the public toilets expired on 21 August 2024 and while permanent planning permission has been granted for the toilets, the permanent building warrant application would (hopefully) be a formality. The existing statutory consents were submitted on behalf of the community council/Tracks with support from HES and NatureScot all of whom retain an interest.

Recent discussions with the architect have introduced the possibility of the toilets being moved to a new location on the same site, as part of the boathouse redevelopment and landscaping. If this is proposed, it would make sense for a new building warrant/planning application including the toilets to be submitted by FSE as part of a revised scheme for the boathouse and as such HES have contacted KCC to ask whether they would agree with the resiting of the toilets – this was agreed.

- Temporary prohibition of driving, parking and loading at Sandport – members were advised that in order to permit Scottish Water Ironwork repairs on the above section of road, a temporary traffic regulation order will be in place from 11th December 2024 for a period of three days. The order will temporarily prohibit all vehicles from driving, parking and loading on Sandport, Kinross from its junction with private access to property known as Number 6 Sandport to its junction with the private access to property known as Number 15 Sandport.

The alternative route for vehicles is via Sandport – Pier Road – Burns Begg Street - B996 High Street.

- Kinross-shire & Glenfarg Stronger Communities Meeting – CClr K Spain will be attending the meeting on 29th August and will provide an update at a future KCC meeting.
ACTION: CClr K Spain
- Craighead Wind Farm – it was noted that a planning application (24/01193/FLL) had been submitted to PKC.

All other correspondence had been dealt with.

15. AOCB

- King's Portrait
It was agreed to ask the Lodge to display the portrait.

No other items of business were raised.

16. Date of next meeting

The next meeting of Kinross Community Council will be held on Tuesday 24th September 2024 at 1930 hrs in the Masonic Hall. All are welcome to attend.

Apologies have been received in advance from CClr E Leslie.

Meeting closed at 2111 hours approximately
All minutes are draft until considered at the next meeting.