

Portmoak Community Council

July Meeting

Tuesday 9 July 2024, 1930 – 2100hrs

Meeting On-line via Zoom (access details below agenda)

Agenda

- 1. Attendance & Apologies:** Cllrs AMiller (Chair), DMorris (Vice-Chair), ADavidson (Treasurer), SMcGregor (Secretary); and 1 member of the public
Apologies: WCllrs WRobertson, DCuthbert, NFreshwater, and RWatters
- 2. Comments and Approval of previous Minutes from PCC April meeting on 11/06/24:**
Correction on Item 4 of Final Draft Minutes: minutes should read: *“Play facilities at Scotlandwell Green: The Chair had seized the opportunity at meeting with Dave Stubbs, Greenspace, PKC”*, (not Nick Mainprize as stated in the final draft minutes.
Proposed: DMorris; **Seconded:** ADavidson
Minutes approved with amendment to Item 4 as above
- 3. Matters arising from Previous Minutes:**
 - Item 1: Kinross-shire Committee update, and Kinross-shire Active Travel Master Plan:** The Chair asked that the two items be split out to two separate Agenda items for the next PCC meeting.
KLC Update: Dave Morris confirmed the next KLC meeting was scheduled for August, so there was no update for today. DMorris had submitted the information on ARUP Active Travel Plan.
Kinross-shire Active Travel Master Plan: The Chair had also attended a meeting for the Kinross-shire Community Transport Forum. The Chair had had an informal discussion with Glenfarg Community Bus (GCB) to ascertain if there was any possibility for GCB to do an extra loop through Portmoak area and offer a service into Kinross to the Park & Ride and Town Centre. It was explained that existing timetables for the GCB were very tight. Interestingly the GCB also goes to Clackmannanshire, Dollar and Stirling which is effectively a P&K route servicing access to three different council areas. The Chair had suggested that it would be beneficial to enhance transport provision in the Kinross-shire area, but the arguments against this amounted to the fact that no bus operators want to support non profitable routes. It was suggested at the Transport Forum that it was more beneficial for Portmoak community to be given long term lease for a local bus for long-term supply of a local community bus as in the case of the GCB. PKC have promised to get back to PCC on this possibility. There would be a need to canvas in community if a service of this type would be supported. It would also require drivers and people to operate the system. It may not be a comprehensive service at all hours of the day, but needs to be supported sufficiently by the local community. Discussions are very early stages so no such service is likely to start imminently.
 - Item 2: Road Safety Action Update:** Speedwatch campaign has renewed the appeal for volunteers. Chair has been in contact with MOCC who are co-ordinating and is confident that a meeting will be scheduled for information and questions soon. Police have been out on patrol and have caught speeders. The ultimate aim is to highlight problem areas for the police to focus on.
Double yellow lines on Bruce Road: item will be added to the Roads Dept. priority list. PCC have already highlighted to PKC key road safety projects for priority consideration.
 - Item 3: Scotlandwell to Portmoak Church Path:** The project had become busy in last week. Nick Mainprize had confirmed there is 100% funding through “Paths for All” and TRACKS, up to £40K available to get feasibility studies completed which would be a massive step forward. Unfortunately, the proviso for funding from “Paths for All” is they need the path to be completed on the full path length, which is problematic due to the lack of communication from the landowner of the lower Section 2 of the path down to Scotlandwell. Everything is in place except the letter confirming that landowner is in agreement for feasibility study to be completed on their land. The Chair intended to escalate his correspondence to landowner to continue to try to obtain a response. Cllr DMorris had concerns about the report NMainprize has produced specifically regarding Section 1 through woodland and the problem of trying to avoid gradient issues. DMorris had pointed out that the path should follow the contour to avoid problematic steep gradients up and down. NMainprize had not inspected the field edge path for the lower Section2 due to the lack of landowner confirmation, even though access rights would permit him to do so. As part of the project the inspection of Section2 needs to be completed.

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The Chair had notified all the affected landowners with full details of the path proposals and the current position for a feasibility study and should any landowners object to the proposals that they can contact PCC with their objections. As to date there has been no success for PCC in securing landowner agreement for the lower Section 2, and further that PCC and TRACKS have no power to impel the landowner to agree, it is necessary now for PKC to try and progress this. Cllr DMorris raised the possibility to implement section 21 of Land Reform Legislation 2003, to issue a Path Order; this enables an agreement to be made with a landowner about a necessary path which is to be created. A time limit would be applied and then PKC would then move on to section 22 and issue a Path Order. This is an important power within 2003 act which doesn't involve compulsory purchase. It is only possible to progress projects when there is landowner agreement, or to proceed to a Path Order to secure the route. The Chair noted the repeated efforts of the previous PCC members to proceed this project over many years and the similar difficulties that they have encountered. Compulsory purchase did not appear to be an option that PKC were prepared to pursue. ACTION: PCC to continue to pursue and investigate all options.

Item 4: Play facilities at Scotlandwell Green: no updated information at this time. Update for September.

Item 5: Portmoak Church – the future for the church and car park: no updated information at this time. Update for September.

Item 6: Renewables Sustainability Group Meeting: update on meeting of 19/06/24: The Secretary had attended the meeting on 19/06/24. Agenda items included discussions around the Memorandum of Understanding (MoU) for all the included CCs within the group, a new one would be drafted to include Dunning and Auchterarder whose CCs were to be invited to join the RSG, this would be signed at the next RSG meeting. Representatives from Orbit and Galileo were in attendance to provide an update on their planning applications and the projects. Their planning application to PKC was expected to be submitted in July 2024. An extensive community consultation process had taken place including c30 meetings with various Community Councils, regular newsletters and multiple public consultations. The Secretary noted that the applicants had not engaged at all with Portmoak CC or Community, even though Portmoak residents would be affected to a large extent with regard to visibility / visual impact. It was explained that this was due to the fact that Portmoak sits outside the radius that has been designated for consultation. The radius is not designated by legislation and is elective, in fact there may be no requirement to consult with communities at all, but Wind Farm companies do so in order to try to engage communities and progress projects more smoothly. The original proposal had been amended from 12 turbines of 200m (to tip) to 8 turbines with 2 reduced in height to 180m to reflect comments arising from community consultation and to reduce the expected output to under 50MW to remain within the thresholds for local authority consideration. Orbit & Galileo felt there was a strong interest in a Reduced Energy Discount Scheme (REDS) expressed from members of the community through their ongoing consultation. Various members of the RSG, some whom have been involved in previous wind farm applications, noted that a REDS was unlikely to deliver sustainable long-term benefit and consequently is unlikely to be the most effective use of the Community Benefit Fund. There were discussions about Indexation and Potential for Shared Ownership again these options need to be assessed carefully with an eye to the experiences other CCs have had on these types of Community Benefit from other wind farm projects. Post meeting the representative of Orbit confirmed that in terms of grid connection, the current understanding is that this will be Westfield, although it is subject to change and dictated by Scottish Power Energy Networks (SPEN). It is understood that grid connection routing would be scrutinised under separate planning application(s), if the wind farms are approved. The grid connection routing could potentially affect Portmoak. Cllr D Morris warned to be clear that the purpose of the RSG should not get mixed up with the Planning process. The RSG is not a group that is looking at the rights and wrongs of the Planning Applications or taking a stance in support of applications. Each affected CC is at liberty to make representation on behalf of their community in Objection or Support. The RSG is a group of local Kinross-shire CC representatives that are sharing knowledge and experience to try to be prepared should the planning applications be approved and how any Community Benefit may be best negotiated. DMorris emphasized that PCC need to understand the consultation process and why we have not been involved. ACTION: next RSG meeting on 24/09/24, Secretary or PCC member to attend.

(Post-meeting note: Galileo Energy have now reached out to PCC about the application to PKC for Craighead PKC Ref# 24/01193/FLM). Application available now for public comments until Fri 27 Sep 2024

Item 7: Scotlandwell footpath between Wellside Park & The Green: the issues around ownership of the footpath has been discussed, decided and dealt with. There was an option to approach Scottish Water to request that they ensure raised ironworks were made safer. The issue was the adoption of Wellside Park itself. A meeting had been held on 26/06/24 onsite with Officers of PKC: vegetation and small tree clearance required in order to adopt.

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Require to use the road bond to do this. The Chair queried that the road bond had been repaid to developer. Footpath item can come off agenda for August.

4. New Matters arising: nothing additional this month

5. Reports:

a. Police Reports: nothing for Portmoak, except Speedwatch campaign. Residents had commented on people using lamps in fields very late at night, unclear of the purpose. Speculation it may be people shooting. Any concerns, contact Police by 'phone – 101 for non-emergencies. 999 for emergencies only.

b. Planning

(1) New Applications:

PKC Application# and Description	Closing Date for Public Comment
a. 24/00958/FLL Extension to dwellinghouse Kilmagadwood Cottage Scotlandwell Kinross KY13 9HY	18/07/2024 Direct porch replacement. Elevations and footprint are the same. Agreed no comment.
b. 24/00928/FLL Alterations and extension to dwellinghouse Park House Main Street Kinnesswood Kinross KY13 9HN	19/07/2024 Outbuilding which is a garage to be converted to a gym, extra set of windows, infill of a recessed gap to rear of property in keeping with existing elevations. No change to front. Property in conservation area. Due notification has been made. Agreed no comment
c. 24/00871/IPL Erection of dwellinghouse (in principle) Land 20 Metres South East Of Townhead Cottage The Cobbles Kinnesswood Kinross KY13 9HL	12/07/2024 1.5 story. 200sqm property. Removal of some outbuildings. In Conservation Area. Comment that it is a significant building in that area of the Conservation Area. Comment that the scale was in proportion to other properties in area. PCC to view site and make comment accordingly.
d. 24/00677/ADV Display of sign Vane Farm Nature Centre Kinross KY13 9LX	Date not available Agree no comment
e. 24/00978/IPL Erection of a dwellinghouse (in principle) Land 30 Metres South Of Moucums View Hayfield Leslie Road Scotlandwell	26/07/2024 Application is vague. Absence of detail. Uncertain plot numbering. Insufficient information to make an assessment. PCC to lodge holding objection that the detail provided is inadequate to form a view. Chair to draft objection on this basis.

(2) Existing Applications:

- a. 24/00716/ECU36: Windfarm at Brunt Hill
Up to 18 turbines, 10 up to 200m tip height and 8 up to 185m tip height and includes a battery energy storage system (up to 50MW) and ancillary infrastructure including foundations, crane hardstandings, met mast and aviation lights, substation and control building.
https://www.energyconsents.scot/ApplicationDetails.aspx?cr=ECU00004654&fbclid=IwZXh0bGhZbW0CMTEAAR0j63_UlcnDJv2GEOdFOBQwPpDegAL5-q6KtSdoczYgzBjJnTp1q-bbwVA_aem_AUVuXdUJkA7X4qGkA7jxex59tZmezuufgtVmHQiNo1MQtaANiGkwKmbIMonLA3OI0Lczqpl0upPzS0pQQq6L50nO
PCC have lodged an objection. Nothing additional to discuss at this point.
- b. 24/00525/FLL: Part change of use agricultural building to dog breeding facility | Land 40 Metres North East Of Glenheart Farm Glenlomond Kinross KY13 9HF
Last date for public comments was on: Fri 03 May 2024
The Treasurer had flagged the application, but Last Comment date was passed. The application had not been discussed at PCC meeting. The Secretary had investigated details and it appeared this application had been missed at the time of planning application in April.
Remove this application for next meeting.

(3) Planning Decisions

Note: the Minutes of Council can be found on the Community Council website. www.portmoak.org

- (a) Progress with Developments: Westfield Community Liaison Committee: no updates. Roads are a mess. Phased start up / test likely later this year.
- (b) Westfield Paths Feasibility Study:

6. Paths Group update: main item is £10K cost needed for Cobbles drainage at top path to Gamekeepers: this sum has been raised through various channels, including PKC, Community Environment Challenge Fund, the Westfield Community Fund, Portmoak Festival Fund. A proper path and drain had been put in. Thomson Landscapes will start on the 10/08.24 there will be some disruption around that time while the path work is taking place. Path will probably be closed.

Other work includes clearing rapidly growing vegetation. Volunteers are always invited to participate. The Chair commended the work that had been done and the fund-raising efforts

7. Treasurer CC Accounts:

Confirmed £2,000 payment has arrived to the Michael Bruce Way account. Other grants to follow.

PCC Acc. £397.53

Michael Bruce Way Acc. £4,333.71

Notification from PKC for a further £150 but this may be a duplication of a previous payment. Treasurer to investigate. Paid out £29 invoice to imburse Paths Group organisers for purchase.

8. Ward Councillors' Reports: no update

9. Matters notified to the Secretary: nothing additional

10. AOB:

Chair will not be able to attend August meeting. Doubt as to whether Vice Chair will be available. Discussion and agreement to cancel PCC Meeting in August 24. Next meeting to be held online in September on 10/09/24.

October meeting and AGM in person, location to be confirmed.

The Chair adjourned the meeting at

11. Next Meeting: **Tuesday 10 September 2024. Online via Zoom**
