PORT OF MENTEITH COMMUNITY COUNCIL

Minutes of the meeting of the Port of Menteith Community Council held in the Port Hall on Monday, 21st October, 2019 commencing at 7.00pm.

Present: Peter Stewart, Chair
Sheena Makgill-Crichton, Vice-Chair & Secretary (part)
Penny McCoull, Treasurer
Alison Forrester
Quint Glen (part)
Jim Riach

In Attendance: Councillor Jeremy McDonald
Willie Nisbet, NPA (part)
Carlyn Fraser, SC (part)
PC Donald King (part)
Michelle Flynn, SC (part)
Valerie Graham, Minutes Secretary

1. Members Present & Apologies

There were no apologies

2. Declarations of Interest in Items of Business

Sheena Makgill-Crichton and Quint Glen declared an interest in Items 7.1.1 & 7.1.2 and said that they would take no part in any discussion of these. As a member of the NPA’s Planning & Access Committee, Willie Nisbet also declared an interest in the same items.

3. Minutes of the Last Meeting

Subject to an amendment to Minute 4.5.1, the adoption of the Minutes as a true record of the meeting held on 19th August was proposed by Sheena Makgill-Crichton and seconded by Peter Stewart.

4. Matters Arising from the Minutes

4.1 Port of Menteith Church

Sheena Makgill-Crichton advised members that a very good friend of the Port of Menteith Church, Rosemary Hill, is taking part in the “Kill Walk” on 9th November to raise funds for the Church and for every penny she raises in sponsorship, the Tom Hunter Foundation will add 40% extra. Donations can be made at www.popupkiltwalk2019.everydayhero.com./uk/rosemary.

4.1.2 Cemetery & Mausoleum

Members were advised that there was nothing new to report but it was agreed to keep this item on the Agenda.

4.2 Roads & Other Issues

4.2.1 A81/A873 Junction

Carlyn Fraser, Team Leader of Operations at Stirling Council reported that she and Angela McGibbon had carried out several surveys on the A81/A873 junction at Hammersmith to assess the situation and they were of the opinion that there were several options with which to improve its safety. These included changing and re-siting signs, adding chevron markings, cutting back vegetation, emphasising the priority of the A81 and placing ‘give way’ markings on the A873. Other possibilities considered were the addition of rumble strips on the A81 to the east of the entrance to Castle Rednock. In answer to the suggestion of a ‘dangerous junction’ sign or video cameras,
she emphasised that there were no records of incidents in which injuries had been sustained and said that she preferred to use other methods by which to ‘educate’ drivers in the way in which they should approach the junction. Members were also advised that no final decision had been reached and it was an ongoing project. In response to a request from the Chairman, she agreed to keep the Community Council advised of progress.

4.2.2 Location of NPA Entry Sign

In an ongoing discussion regarding the location of the NPA Entry Sign, it was suggested that instead of locating it on the A873, consideration could be given to siting it within the National Park boundary and nearer the Port Hall. It was agreed to consider this further.

4.2.3 B8034

In response to the Community Council’s letter regarding the very poor condition of parts of the B8034, Kenny Snedden, Road Maintenance Team Leader had responded by saying that the budget for the current financial had all been allocated for resurfacing work elsewhere. However, he had said that he would arrange for the road to be surveyed prior to determining the budget for 2020-2021 but could not guarantee that it would be included.

Valerie Graham also reported that following a letter from a local resident complaining about the damage done to verges on the B8034 caused by the DTRH delivery vehicles, Kenny Snedden arranged to have the verges repaired and will meet with the organisers before next year’s event to ensure that suitable traffic control measures are implemented and that any damage caused to verges or drainage systems is repaired immediately. A survey of the road will also be carried out before the event.

4.2.4 Cardross Bridge

Following the letter from the Community Council expressing concern about the condition of the Cardross Bridge, a letter had been received from Maria Lucey, the officer at Stirling Council responsible for bridges in which she had listed the work which needed to be carried out on the Bridge. Also included was the intention to carry out a dive survey of the piers prior to the start of any work and a strength assessment of the structure.

Carlyn Fraser reported that the strength assessment had now been carried out and this had confirmed that the current weight limit on the Bridge is appropriate. However, the comment was made that this was dependant on the drivers of heavy vehicles heeding the signs and not crossing the Bridge but it was well known that many regularly ignored them.

In response to a question as to whether the police could help with monitoring the bridge and what action would be taken if overweight vehicles were caught crossing it, PC King said that although and his colleagues would include the Bridge in their patrols, it would not be possible to have a regular presence there. However, he encouraged people who witnessed these incidents to report them to the police. He emphasised that it was not essential to get vehicle registration numbers as the name of the company owning the vehicle together with the date and time of the incident would provide sufficient information for the police to take action which in some cases could result in the loss of a licence.

Valerie Graham advised members that she had mentioned to Councillor Earl that at previous meetings, the Community Council had spoken about the possibility of having CCTV cameras at Cardross Bridge to record over-weight vehicles crossing it. As a result there had been an email from the Stirling Council Officer concerned in which she said that although there are no current plans for the installation of cameras at the Bridge,
she would be happy to consider it as a potential location for redeployable cameras. However, it would appear that these are limited and there are over 80 places under consideration for their location.

4.2.5 School Warning Lights
Valerie Graham reported that just after the schools went back after the summer holidays, she had noticed that the school warning lights were not working. Coincidently, she was in Callander and then Kippen at different times on the same day and discovered that the lights were also not working in either place. The problem had been reported to Angela McGibbon and subsequently it had emerged that none of the school lights in the Stirling Council area had been working that day but nobody at the Council had realised it. Eventually, it was about three weeks before all the lights in the Port were fully functional again.

During the following discussion, Members expressed their concern because of the risk to the school children but also questioned why there was not a system in place to raise an alarm when the lights failed.

Action : VG

4.3 Refuse Collections
There was nothing new to report.

4.4 Local Blue Telephone Book
It was agreed to carry discussion of this item over to the next meeting.

4.5 Aberfoyle & Buchlyvie Medical Centres
Members were advised that there was nothing new to report.

4.6 Timber Lorry Routes : Strategic Timber Transport Fund
In response to the letter from the Community Council, David Crichton had advised that Stirling Council had not made an application to the Strategic Timber Transport Fund for reinforcement work on the A81. Of two bids submitted earlier in the year, as a result of the considerable amount of interest in the funding which means that it tends to be oversubscribed, only the one for the B829 Inversnaid Road had been successful.

4.7 Transport
4.7.1 DRT Service
There had been a number of complaints reported about the reliability of the DRT Service. In some instances the DRT had not turned up despite being booked in advance which had resulted in one child not being collected from an after-school event and the parents having to make emergency arrangements for them.

Councillor McDonald said that it was important that Stirling Council was made aware of this situation as it subsidises the service and he recommended that any failure of the service should be reported to the Council’s transport scheduling co-ordinator, Robert Plews.

5. Financial
5.1 Financial Report
Penny McCoull presented and provided information on the end-of-September financial Report, which had been circulated prior to the meeting.

5.2 CC Drivers’ Insurance Cover
Penny McCoull advised members that Stirling Council had recently notified Community Councils with details of additional insurance cover that is available for Community
Councillors/Volunteers who use their own vehicles for Community Council business. It covers the loss of No Claims Discounts and policy excess protection at a cost of £1.35 per person. After discussion, it was agreed to apply for cover for four members, the other two already having Business Insurance cover.

6. Correspondence

6.1 General Correspondence

As of Saturday, 19th October, 2019 the following general communications not included on the Agenda had been received:

- Weekly Planning Lists from Stirling Council and the NPA;
- Programme of Stirling Councillors’ Surgeries;
- Stirling Council’s Road Works 6-Weekly Programme for the Rural Area;
- Copies of the ‘Scotland Funding Search Bulletin’;
- A copy of the June Community News Sheet;
- A copy of the Community Partnership’s July E-Bulletin;
- Notification of future “Community Council Conversations” events;
- The latest news from the Scottish Community Council’s website;
- Copy of Scottish Rural Action’s July newsletter;
- A copy of the Community Partnership’s August, September & October E-Bulletins;
- A copy of the Community News Sheet for July;
- Details of a Stirlingshire Voluntary Enterprise SVE Trustee Training Workshop;
- Details of the Community Partnership’s Community Training Support;
- A note from the Head Teacher of Port School regarding the non-functioning 20mph warning lights;
- A reminder about the “Community Council Conversations” events;
- An invitation to the Social Enterprise Hub’s “Introduction to Social Enterprise” event;
- An update on the NPA’s “Trees & Woodland” strategy;
- Notification of the postponement of the Community Partnership’s AGM;
- Details of the Social Enterprise Hub’s “Leadership in Community Based Organisations” event;
- Details of Stirling Civic Trust’s Talks programme.

6.2 Land Reform Factsheet

This had been circulated to members prior to the meeting but there was no discussion.

7. Planning & Licensing Issues

At this point, Sheena Makgill-Crichton, Quint Glen and Willie Nisbet left the room.

7.1 New Planning Applications

7.1.1 Application: 2019/0253/DET - Demolition of an existing workshop and erection of a holiday cottage at Mondhui, Port of Menteith.

7.1.1.1 Response from NPA to letter from CC. re conditions attached to approval of Application: 2016/0396/DET.

Members were reminded that it had been agreed to seek information from the NPA as to whether or not the condition attached to a previous application had been correctly implemented.

In the response received from the Amy Unitt, Planning Officer concerned, she had confirmed that no information regarding the condition had been received and it had not been complied with. She went on to say that having reviewed the planning application referred to she had noted that the response from SEPA, which referred to a need for a fully upgraded drainage system, also included a separate application for three separate units. In view of the fact that these units have not been built, it had been decided that in hindsight a requirement for an upgrade of the existing system is unnecessary.
Therefore, the applicant had been informed that they now have the option to apply for the original condition to be removed or amended. Also, that as a result, the Community Council should consider the current application on its own merits. Concern was expressed at this response.

Members were also advised that an additional self-catering unit has been advertised on the Mondhui “Lakeview Cottages” website during 2019 bringing the current number of units to three and that if the current application is approved, it will double the number of units approved in 2017 and increase the pressure on the existing drainage/sewage system.

7.1.1.2 Consideration of a request from Steven Baron for support for his objection to Application 2019/0253/DET.

Members were advised that Mr. Baron’s letter of objection had not been posted on the NPA’s Planning website along with other documents relating to the application and although Mrs. Makgill-Crichton’s letter had originally been on it, it was subsequently taken down. In response to her enquiry as to why this had been done, she had been advised that the Planning Officer responsible for dealing with the application was seeking legal advice as to what could and could not be made public.

Mr. Baron had also written to SEPA with a copy to the Community Council, in which he had submitted considerable technical information which questioned the suitability of the existing septic tank at Mondhui.

Following discussion, members of the Community Council came to the view that they did not have the necessary expertise to comment on the technical information provided by Mr. Baron. However, they did agree to submit a request that the Planning Officer concerned should give Mr. Baron’s letter serious consideration when determining the outcome of the application. Members of the Community Council also supported Mr. Baron’s concerns regarding the safety of the access road from the A81 and the increasing pressure on it resulting from the continuing developments which it serves. 

7.1.1.3 Response from Port of Menteith Community Council.

There followed a lengthy discussion of the Planning Application by Members during which they were advised that the consistency of any response was important and were also reminded that they now have increased Trustees Liability Cover.

During the discussion, Members agreed that although the information contained in Mr. Baron’s letter regarding the adequacy of the drainage/sewage system and the capacity of the septic tank at Mondhui had raised considerable concern, because of their lack of expertise they could not take this into account when making their decision. The “Drainage Information (submitted 2017)” document attached to the application was also disregarded as it was considered that this did not reflect the addition since 2017 of a third self-catering holiday unit at Mondhui.

Always concerned about the risk of pollution to the Lake of Menteith SSSI and its feeder burns and the lack of any information from SEPA, members took the decision to formally object to this application. However, should there subsequently be written support from SEPA to the addition of the new and proposed units to the existing drainage system, it was agreed that members would reconsider their decision.
7.1.2 Application : 2019/0260/DET – Change of use of timber building (sui generis) to holiday let (Class 9).

Information regarding this application had been circulated prior to the meeting but there had been no objection to it from Members and the NPA had been notified accordingly.

7.2 Planning Notification

7.2.1 Application : 2019/0259/NOT – Erection of an Agricultural Shed at Nether Glenny, Port of Menteith;

Members were advised that this notification was for information and as it is for an Agricultural Building it is unlikely that it will require planning permission.

7.3 Planning Update

7.3.1 Application : 2019/0073/DET - Auchyle Bellmouth & Access Track;

Members were advised that to date no decision had been made regarding this application. However, Simon Franks, the NPA Trees & Woodland officer’s recommendation is that the proposed width of the access track should be reduced once it reaches the planting area.

7.3.2 Application : 19/00455/FUL – Conversion of Glasshouses to Dwelling House at Land & Buildings 25m south west of Blairhoyle East Lodge;

Members were advised that this application had been approved but with conditions attached which require the reinstatement of old walled garden and Council approval of building materials before work begins on the conversion of the glasshouses.

7.3.3 Members were advised that the following applications had all been approved:

- Application : 2019/0097/DET – Change of use of a storage room to 1bed/2 person Holiday Let at Nether Glenny;
- Application : 19/00653/NAG - Prior Notification for Forestry-related Building Works south of Tamavoid, Port of Menteith;

7.4 Planning Enforcement

Sheena Makgill-Crichton expressed her concern at what appeared to be a general lack of enforcement of conditions attached to the approval of planning applications by both Stirling Council and the National Park as it would appear that unless a member of the public complains about the non-compliance, no further action is taken by the planners. There followed a general discussion in which this situation was strongly criticised by members and it was agreed to write to both organisations asking if they have a formal policy regarding enforcement and if so, requesting a copy.

Action : SM-C

7.5 Licensing Forum

Members were advised that following an earlier meeting of the Licensing Forum to consider the application for an extension to the hours for the sale of alcohol at DTRH which had been attended by Penny McCoull, it would appear that subsequently there had been another query regarding consultation with CCs regarding licensing of similar local music events. Penny had been invited to attend the meeting at which this was to be discussed but was unable to do so due to work commitments. However, as requested, a list of the Community Council’s comments regarding this year’s DTRH event had been forwarded to the Licensing Civic.
7.6 Community Council Training in Planning

It was reported that a one-day session workshop to understand how planning works in practice and how it is changing followed by an evening session had been organised by Stirling Council. Members were advised that Penny McCoull and Valerie Graham would be attending.

8. Forestry

8.1 Auchyle

Members were advised that there had been no response to the comments submitted by the Community Council following the previous meeting. However, an amended version of the original planting design had just arrived which would indicate that there is now the intention to fell the two existing deciduous woodland areas – one above Auchyle farm house and one to the west – and re-plant with more sitka spruce.

8.2 Malling Forest

There had been no response to the letter expressing Community Council members’ concerns.

Sheena Makgill-Crichton said that she understood that an application to plant the hillside between the Malling and Auchyle areas was anticipated and expressed concern that the Community Council was not being consulted. After discussion, it was agreed to write to Scottish Forestry, the new Government agency providing advice regarding regulation, policy etc., to private landowners, to request that Community Councils are advised and consulted about proposals for the developments of new forest within their areas.

Action: SM-C

9. Broadband

It was reported that the information regarding Broadband and mobile phone signals in the area promised by Shaun Marley, the Community Broadband Officer, at the August meeting had not been forthcoming. Jim Riach undertook to contact Mr. Marley.

Action: JR

10. Aberfoyle – Stirling Safe Cycling Project

Jim Riach explained to members that following a successful submission by Thornhill Community Trust to the “Your Stirling, You Decide” Participatory Budgeting campaign, a steering group had been formed to take forward an Aberfoyle to Stirling safe cycling project. At the two meetings of the steering group there had been wide ranging discussion about possible routes using private tracks and B roads across the Carse to move users away from the busy A84. A further meeting was to be held later in the month.

11. Community Council Conversation Meeting

Penny McCoull had attended one of the three meetings on behalf of the Community Council and her report of the meeting had been circulated. She said that following a presentation from Stirling Council, the issues discussed at the meeting she attended included concerns over planning applications, a short talk about Participation Requests and the CC Handbook. A representative from Strathard CC had also given a short summary of the work that been done to consult with members of the local community on a number of issues.

During the following discussion, the Chairman proposed and members agreed that it could be advantageous for Port of Menteith, Arnprior and Strathard Community Councils to work together on issues common to all three areas and it was agreed to write to the other Chairmen to suggest this.

Action: SM-C

12. Community Life Plan Documents

It was agreed to carry this Item forward to the next meeting for discussion.
13. **Flanders Moss Deer Management Forum**

Members were advised that a letter had been received from Scottish Natural Heritage regarding the deer management plan which had been produced for the area around Flanders Moss and with information about the forthcoming Flanders Moss Deer Management Forum to which members of the Community Council had been invited.

Prior to the meeting, David Makgill-Crichton’s opinion had been sought and while he considers it to be a sound plan and it looks very good, whether it will work due to the problems of dealing with lots of different small landowners and the willingness to stalk as per the plan is questionable. He also doesn’t think that it is anything that the CC could ever comment about and it was agreed to respond accordingly.  

**Action:** SM-C

14. **Reports:**

14.1 **Councillor’s Report**

In his report, Councillor McDonald spoke about improving the public transport system and the possibility of a roundabout Blairdrummond.

14.2 **NPA Report**

Willie Nisbet advised members that the NPA’s Director of Corporate Services had recently resigned. Also that the next NPA Board Meeting was to be held in Kinlochard as part of the policy of moving these meetings around locations in the Park. Quint Glen asked if a future Board Meeting could be held in the Port of Menteith Hall.

14.3 **Community Link Officer Report**

Michelle Flynn drew members’ attention to the forthcoming Stirling Council budget plans and the Gartmore Film Club’s programme.

14.4 **Port Hall Report**

Quint Glen reported that the recent application to the National Park for funding to improve the car-park at the Hall had been turned down but he hadn’t yet been given the reason for this. Willie Nisbet asked for further information and said that he would investigate the situation.

14.5 **Port School Report**

Peter Stewart reported that the school appeared to be working well with the new staff and the change to the class-room set-up for the current 19 pupils which had been adopted since the beginning of the new term appeared to be working well. However, that sadly there is no sign of any new intake of pupils in the short-term.

14.6 **Police Report**

PC Donald King spoke to his report which had been circulated prior to the meeting.

Sheena Makgill-Crichton expressed considerable concern about the increasing number of heavy lorries driving down the centre of roads in the local area. In response, PC King said that although he appreciated that while drivers were having to take avoiding action, it was often not possible to get details of the vehicles in order to report them to the police, having a dash cam could prove useful.

15. **Any Other Competent Business**

15.1 **Approval of Meeting Dates in 2020**

A draft list of dates had been circulated prior to the meeting and after consideration and taking into account School holidays, the following dates were approved:

- **Monday, 10th February;**
- **Monday, 20th April;**
- **Monday, 15th June (AGM & Meeting);**
- **Monday, 24th August;**
- **Monday, 19th October;**
- **Monday, 7th December.**
16. **Questions from the Floor**
   There were no questions.

17. **Date of Next Ordinary Meeting : Monday, 2nd December 2019**