



Royal Burgh of Falkland & Newton of Falkland Community Council

**Minute of Meeting 13 April 2021
held at 7pm via conference call due to lockdown Covid-19
(public invited to attend)**

Welcome from Chair

Present: Rod Crawford (Chair), Gordon Honeyman, Stuart Knowles, Jim Brown, John Smith, Douglas Young, Roz Esslemont, Gavin Lawson, Peter Burman (joined later)
Lauren Ballantine (minutes)

Councillors: Cllr Andy Heer (joined later), Cllr D MacDiarmid **Police:** nil **Residents:**4

Apologies for online absence: None

| Agenda Item | Discussion | Action |
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| 3 Declarations of new Interest | None | |
| 4 Minute of Previous Meeting | March minute, taken by Lauren Ballantine, | Approved |
| 5 Matters arising not otherwise on Agenda | <ul style="list-style-type: none"> RE noted that Member of public had raised concern regarding person sleeping overnight in van in library car park. Cllr Mcd. Had received same concern.. JS Rights of Way status to be added under item 9, CC issues. JB noted correspondence received from Community Council Improvement Service confirming Scot Gov requirement for all CC websites to comply with 'accessibility' standards. JB noted that CC should also officially register with the Data Registrar - CC defined as 'data manager'. Burntisland CC asking for feedback about community policing situation that they feel is deteriorating. RC noted Falkland recent experience is similar with no recent contact | <p>Cllr McD to raise with Fife council.</p> <p>JB and DY to review JB to action</p> <p>RC to respond .</p> |
| 6 Planning, Listed Building and Conservation Issue | <p>(i) No new planning matters arising.</p> <p>(ii) PB requested update on situation regarding CC complaint /response regarding Fife Council handling of Kerkyra (20/01239/FULL) application. The CC objection as a Statutory Consultee, which was acknowledged as being received by the Planning Officer, was ignored at the planning meeting. Planning Committee informed that CC had not submitted objection. CC submitted a strong letter of complaint after the original decision was made which Fife Council took a long time to reply to. FC Response did not address issues raised in complaint properly. RC noted CC had examined legal avenues but could find no</p> | |



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| | <p>obvious way forward.</p> <p>CC took advice from PAS , who confirmed only way to potentially change decision was to go to Court of Session for judicial review. Discussed at previous CC meeting and decision taken that council could not contemplate costs and risk of this. Time taken by FC to respond also took us out of the timescale for such review.</p> <p>JB had agreed to prepare comprehensive account of complaint with intention of sending higher up FC chain to Chief Exec. Has not managed to complete this yet due to ongoing Sustrans work. This will not get decision reversed, only possible acknowledgement that FC acted in error. Other course of action is to go to Ombudsman. Again will not reverse decision, only investigate how process was operated by FC, if found to be deficient FC will be told to take action to make sure it doesn't happen again. Ombudsman has no power to set aside planning decision.</p> <p>PB stated we want to ensure this doesn't happen again, so merit in approaching ombudsman.</p> <p>Resident CMcL feeling extremely let down, particularly by actions of local elected members. Emailed three local councillors to forewarn that application was coming up. It was ignored. Why did they not say more? When she made complaint was told that CC objection had been 'lost'. How can it be lost? Something badly wrong.</p> <p>JB Noted that CC objection was listed on planning portal with correct reference number as having been received. CC also received letter from planning officer confirming she had received objection and it would be taken into account. These points were raised to FC but they say objection was misfiled.</p> <p>Cllr McD said he had excused himself from the decision at committee due to knowing people involved on both sides.</p> <p>Cllr Heer was surprised at the committee meeting when told that CC hadn't objected as understood they were going to. Planning committee works as presented with a report which recommended granting permission Councillors can only refuse if the application is contrary to planning policies. No issues re planning policies were reported</p> <p>Cllr Heer noted that new buildings or extensions are allowed in conservation areas but it has to be done sympathetically. Papers stated it was compliant with policies and that it was on the edge of conservation area so acceptable.</p> <p>PB stated that planning officer quoted all relevant policies but</p> | |
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| | <p>drew wrong conclusions and erred in fact on many issues. Handling report was an appalling document and number of objections should have alerted committee,.</p> <p>Cllr Heer noted there are frequently multiple objections, and numbers are not especially relevant</p> <p>Objections are taken into account especially if from CC but in this case committee was told there wasn't one.</p> <p>CMcL noted that she had contacted the Chief Executive of Fife Council by email but got no response</p> <p>RC noted if we decide to go ahead with complaint to the ombudsman, he is happy to put name to sending complaint to chief executive at the same time.</p> <p>JB noted any further complaint submission has to be a very comprehensive response, detailing the whole story, no point in putting forward something which will require further investigation on FC side, we must state all points in one document.</p> <p>Agreed that draft Ombudsman / CEO complaint should be completed for further action review.</p> | <p>Noted JB/PB</p> |
| <p>7 Falkland's Future Project</p> | <p>Chair asked JB/SK for update.</p> <p>JB noted tender issued to prospective consultants for work discussed at last meeting. Three companies: Systra, OPEN and Millard Consultants. Millard declined due to workload so two bids received Both have been reviewed and evaluated. Both good and competent but big price difference, one almost double the other and not really compliant with schedule. Recommendation is to award contract to OPEN. Approval from Sustrans to cover costs which comes to just over £20,000. Subject to CC agreement proposing to go ahead and make award and kick off studies ASAP. Preferred timescale from Sustrans was to have work completed by third week in May but will take longer, probably 19/04 until first week of June.</p> <p>JB noted will be fully funded by Sustrans.</p> <p>Chair asked for quick resume of the scope of study</p> <ul style="list-style-type: none"> ○ Pleasance and Newton Road, implement 20mph speed limit and make it self-enforcing with traffic calming measures and additional crossing and improvements at the school junction and East Port junction. Enhancements to bus stops at East Port junction. ○ Modal Filter at Horsemarket/South Street junction which will limit vehicle movement in certain directions. Proposal to be | |



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| | <p>investigated.</p> <ul style="list-style-type: none"> ○ Improvement to footways of High Street, accessibility compliant crossings on High Street, Back Wynd and Cross Wynd junctions. ○ Improvement of footway all the way up High Street West / West Port to foot of Hill Rd. ○ Improvement of green space at the bottom of the Hill road, incorporating additional parking spaces and rerouted footway to Back Dykes and possible seating. <p>Chair expressed support of proposed work package and requested council agreement to proceed to award study to OPEN on above basis. Agreed by all.</p> <p>JB hoping to have kick-off meeting with the consultants on Monday or Tuesday of next week with Sustrans, Fife Council. Hoping to involve Fiona Fisher from FC from the conservation side.</p> <p>JB requested approval for some additional associated expenditure. Green space work would require another small tree survey, propose going to same specialist who carried out survey on East Loan trees, . Region of £200 - £250 for survey and report. Assess where roots are going and where disturbance to be avoided.</p> <p>JS noted his support for the greenspace proposal but asked if neighbours have been advised /consulted? JB has discussed outline with some neighbours but noted this is only a concept study at this stage. Linked to possibilities of doing things on High Street West / West Port. At the moment cars parked on pavement all way down HSW.</p> <p>Resident SH noted that parked cars on HSW / West Port are undesirable from pedestrian point of view but they form excellent calming for traffic speed point of view, if cars are to be moved it has to be done at the same time as putting speed bumps and other stuff in. JB confirmed this is covered in study scope as is speed restriction or gateway as traffic approaches the village from Craigmead to cut speed of traffic coming down the hill, including bicycle traffic.</p> <p>JB also requested approval to carry out some land register searches associated with the Sustrans work. Forecast cost in the region of £100. Proposal agreed.</p> | <p>JB to confirm award.</p> <p>JB to obtain quote.</p> |
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| <p>8 Community Council Issues</p> | <p>(i) Fountain water restoration- JB proposed that that CC together with the Falkland Society should initiate study to look at ways that fountain could be converted to a recycling system and also separate potable drinking fountain should be added to the fountain or in separate location near the square. Separate location would avoid children etc. going on to the carriageway to get to water fountain. The existing fountain would be non-potable but would flow continuously.. PB was keen on Falkland Society participation and suggestion that FS should approach the war memorial trust for funding to get study done. PB noted this has crystallised discussion into a project proposal and strongly supports it. The fountain is much appreciated by everyone who visits and unfortunate that it's not working due to water billing issues. A recycling system would be preferable from an environmental viewpoint so as not wasting treated water. A dedicated drinking fountain could be located somewhere safer, e.g. corner where interpretation panel and Victorian post box exist would be very suitable place. All needs managing by competent conservation architect, JB suggested ARC architects in Cupar, who were involved the last refurbishment work on the Bruce fountain. May well have some record of work done and details of access to the inside of the fountain PB will make initial approach to ARC for proposal. GL noted that if not drinking water, there will have to be warning signs and raised concern about people not reading signs and drinking water that is not potable. JB noted previous meeting with community planning (FC) when issue first came up about cutting off water supply and point was made about other fountains in Fife which have been converted to recycling systems. Example of this is St Andrews. Fife Council made point that although charity might get exemption from water rates it would be very unlikely Scottish Water would agree to it if water was being run to the burn. Need to decide if want fountain running all the time or only have a facility which allows people to get supply of water.</p> <p>(ii) JS, Nothing to report</p> <p>(iii) RC noted that issue of tree planting proposals came up at stakeholders meeting. SH asked about status, particularly in relation to East Loan area. Noted that money was given by WMT to group comprising Cllr MCd, Ian Husband and Scott McIntosh. Falkland Gardening Group were also given a grant by WMT to plant specific heritage trees around the village. Cllr McD, contacted by Lars C recently in connection with planting</p> | |
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| | <p>of trees and if planning permission was needed to plant them. Not required for planting necessary for removal / pruning in the Conservation Area. FC Roads are Trying to improve sightlines in some areas of Falkland, particularly school and mini roundabout. Trees in discussion, one was close to Alan Bennies garage, the other at the nursing home. Concern for obscuring view in future. Passed on detail of Richard Simmons, transportation officer advise on keeping sightlines clear.</p> <p>RC noted garden group have taken this into account and there is correspondence between them and the council re where they will site trees.</p> <p>Cllr McD seeking advice from A Reidi regarding types of trees he would recommend for East Loan. Will consult with CC prior to East Loan planting.</p> <p>RC attended webinar Scottish Community Climate Network. Looking at tree planting initiatives in Fife. Fife Environmental Action with lottery funding supporting community tree planting. Piloting three areas in Fife which involves community groups planting trees. In the past have expressed interest and they have agreed to take account of Falkland. Another potential funding source.</p> <p>JB noted CC had agreed to make contribution towards East Loan trees.</p> <p>GH requested planting should be done in controlled manner taking local residents views into account.</p> <p>(iv) Rights of Way Issues, GL has done a lot of work on this and can report subscriptions to Rights of Way society £20 per year aer up to date. Will be meeting with RoW officer who can advise what needs to be done and schedule to maintain rights. All up to date at present. Leave as item on agenda now but GL and JS will be doing necessary work.</p> | <p>All agree</p> <p>Work in progress.</p> |
| <p>9 Cllr D MacDiarmid's report</p> | <p>Specific mention was made of the following items:</p> <ul style="list-style-type: none"> (i) Garden Cottage has new planning application. Looks mainly retrospective for either the work they are doing or have done. (ii) Frustrating to not have actions done on the Pleasance that he has requested. Emailing back and forth to arrange meeting and get high up on agenda. Asked for mini roundabout to be re- | <p>Confirmed Retrospective</p> |



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| | <p> painted. (iii) Fife Millennial Cycleways are spending money all over Fife including south of New Inn roundabout, emailed about not spending in ward 16, awaiting a reply. (iv) Reported pot holes to be repaired (v) Lomond Vics pitch now appears to be used by a Kinross football team, councillors have been asked to ask CC / community about how they feel about organisation from outside Fife renting pitch on Common Good land. (vi) Major works to be done to some Walker Trust cottages. One will be adapted into wheelchair accessible house to allow for large wheelchair. For information only. (vii) Maspie burn, FC have shored up the banking. Have taken pictures and complained about poor workmanship. (viii) OldBrunton Green bench, FC have agreed to relocate on Back Dykes. (ix) Identified where water comes out from top park burn, comes out at Maspie burn. </p> <p> Chair – asked further questions for Cllr McD? DY – any action of Newton road pillar on pathway? Cllr McD. no action taken yet. JS noted this is forcing pedestrians onto the road, must be looked at urgently. GL asked for confirmation re action on potholes. What is the plan? Cllr McD notd that to fix permanently very expensive, money not there for Fife. Back Dykes is earmarked for re surfacing in future . JB noted Local Committee meeting papers received with list of road and footway repairs put up for approval, has this taken place? Cllr McD. Advised Falkland will not be done this year as not considered high enough priority. </p> | |
| <p>10 (ii) Residents' Issues</p> | <p>None</p> | |
| <p>A.O.C.B.</p> | <p>RC gave feedback on use of Mill green by Stag Inn, attended meeting with small group of residents, NS and the leaseholder of the stag Hamish Waterson. Had met last summer and came to amicable agreement about outdoor drinking with controlled numbers and times used. Outdoor drinking coming back in April across Scotland, had a discussion about plans.</p> | |



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| | <p>Agreement that use would have a final date towards the end of July/beginning of August. Stag requested agreement for marquee with just a roof, agreed by NS and group.</p> <p>JS gave feedback St Johns Work site status, spoke, to Michael Longstaff regarding future of site, confirmed still in Smith Anderson hands. CC requested meeting about being part of future consultation process. Should come back with a date in a few weeks.</p> | |
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Next Meeting: Tuesday 11th May - 7pm - Virtual meeting

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