

Airth Parish Community Council

Minutes of Meeting held in Airth Primary School on Wednesday 19th September 2018

Members Present : **Jon Anslow (Convenor)**
 Aileen Amos (Secretary / Treasurer)
 Robert Smith (Assistant Secretary)
 James Toal (Vice Convenor)
 Stephen Sloper (Community Councillor)
 Murat Dilek (Community Councillor)

Also Present : **Jacqueline Drew, Co-opted Member (Airth Parish Church)**
 Cllr. Laura Murtagh; Tom Sloper;
 Ronnie Martin, Kathleen Martin; Fiona Turner; Charlie Turner
 (all from Bothkennar area)
 Jane Rae (Minute Taker)

1. Apologies : **Rev Jim Todd; Councillors Bouse and Coombes; PC Chris Morrison.**

2. Police Report :

PC Christopher Morrison sent his apologies but due to pressure of work he would not be able to attend tonight. He sent his report via email.

The period covered was from 19th August to 19th September 2018 and identified 5 reported crimes / offences in the area. These included reports of a theft, a vandalism and disorder in Letham and a theft and a domestic incident in Airth. There had been 55 calls to Police from Airth in this period. The majority of these related to road traffic matters and also to deer hit by cars, concerns for persons, neighbour disputes, theft, vandalism and disturbances.

Since the last meeting there had been changes to the supervisory structure in the Community Policing Team in Larbert. Inspector McLaughlin is now the community inspector at Larbert and PI Rushford has moved on to a response policing role at Falkirk.

During August and September there has continued to be incidents of anti-social behaviour involving youths at Cemetery Brae. This is part of the patrol plan and is patrolled regularly.

Any intelligence relating to drug misuse in the area should be reported to Police.

3. Previous Minutes :

The previous minute of 20/6/18 was accepted as correct and approved by Aileen Amos, seconded by Jon Anslow.

4. Matters Arising

- **Biodiversity Action Plan** : Falkirk Council had organised a consultation and feedback, of which Robert unfortunately missed the deadline of 18/7/18, due to personal circumstances. Jon nevertheless urged Robert to present our feedback, despite the deadline being passed. Robert's opinion was that this was an interesting document, while highlighting his concerns regarding Bothkennar Pools and Saltmarsh at Bothkennar. It was felt that Falkirk Council had aspirations to make area more diverse for all habitats and included in document was an Action Plan for each habitat. The one which concerns us most is "estuarine". Robert read out the aims of the plan, highlighting a pledge for compensatory restoration where required. Stephen Sloper asked who the restoration plans lie with - RSPB or Falkirk Council.
- **Tree Felling**: Robert updated the meeting on the recent incident in June of illegal tree felling in the vicinity of Agricolae House, north from Castle View. Consent had been given to remove one dying oak tree and for the removal of low branches and deadwood from 10 sycamores and holly bushes. Instead 3 oak trees had been felled along with at least another 10-12 trees removed to ground level. This seems to have been done intentionally during a weekend when it would be difficult to police. A resident asked what action Falkirk Council would take against the landowner / fellers. Cllr Murtagh said that investigation was ongoing and legal advice being sought but any trees not subject to Tree Protection Orders would have no further action. When asked, the tree feller could not produce relevant paperwork, therefore the removal of the additional mature trees was illegal and it is therefore the responsibility of Falkirk Council to prosecute. Jon asked that the Community Council have sight of any final report and an explanation should Falkirk Council not take this forward. Aileen asked if the Community Council should push for Falkirk Council to prosecute; Stephen Sloper argued that there should be a prosecution. There was also an argument for the Police to be involved, which does not appear to have happened.
- **Escarpment, Airth** : Robert wrote to Falkirk Council planning department with comments regarding the revised planning application for 108 houses on land to south

of Cemetery Brae after a special meeting held by the Community Council on 7th August (copy available).

- **Sea Wall Defence** : Stephen Sloper referred to the letter written by Robert and sent on 5/9/18. Stephen expressed surprise that members had not seen a draft of this before it was sent as he had a few questions regarding some of the information contained within the letter. The first query he had was with regard to embankments on agricultural land only requiring to protect the land from a 1 in 50 year flooding event, while formal flood defences for other properties are required to withstand a 1 in 200 year flooding event. As Stephen could not find this information in any of the papers he wondered where it had come from. Robert's immediate response was that he had made a note of this during a previous meeting on site and would confirm this as soon as he could. Stephen's second query was with regard to local landowners paying large sums of their own money to have the agreed work carried out on the embankments. Could this be conjecture or had we actually seen the invoices? Robert commented that he had no reason to disbelieve the landowners' statement. Conversely, when Fiona Turner had asked the landowners in the vicinity of Bothkennar whether they had spent anything on the bunds the answer had been no. Stephen's final query was why the letter was sent to Iain Dryden instead of Mr Duff who had previously been dealing with the issue. Mr Dryden is head of the department. Jon Anslow agreed that all members should have had sight of the draft before sending but due to time constraints this had not happened and he apologised for this. Cllr Murtagh reminded everyone that there was a large stretch of sea wall from Bothkennar to South Alloa and it can be confusing about who has done what. Stephen said we were talking specifically about small section from north end of Airth to Dunmore. A resident reiterated that anyone bringing in and dumping waste material on the embankment without permission was unlawful.

NB - on the day following the meeting Robert emailed everyone concerned regarding one of the queries Stephen had made. The flooding event ratio had indeed come from a meeting which had been held several years ago within MSP Angus MacDonald's office and involving representatives of several organisations, including SEPA.

- **Flood Risk Community Groups meeting in Perth** : Aileen Amos and James Toal had attended. There were 5 speakers and information concentrated mostly on fresh water flooding and not a lot was said about sea defences. SEPA are not responsible for any sea defences, although they can give advice on them. Residents from Bothkennar also attended and Ronnie Martin quoted Dr Alistair Cargill of SEPA who said that to be designated a flood defence, an embankment has to be designed and built to an engineer's design.

5. Correspondence :

- email from Robert to Provost Billy Buchanan, who was invited to judge the Annual Gardening Competition, which he did in the week before Airth Games on 28th July. Provost Buchanan also donated an extra £15 to enable there to be joint 3rd prizes and for future years he very kindly donated a (very large) trophy. All prizes were announced and presented at the Highland Games.
- email from local resident of Shore Road expressing her concern that due to parking in Shore Road an emergency ambulance could not get to her. Local councillors will deal with this.
- email from Kevin Brown of Planning Dept apologising to Robert for not including the Community Council's comments on planning application regarding Elphinstone Inn.
- further email from Maria Montinaro asking again for Community Council's support for representation to SG.
- receipt from Zurich for CC insurance cover (£71.25)
- email regarding fly tipping survey.
- copy of Hutton report regarding the community concerns of sewage sludge.
- email from Donald Campbell (Planning Dept) in answer to query from Aileen regarding the possibility of any amendment to planning application for 3 houses at Scout Hall site. No amendment has been made to original application.
- Community Safety Team report 1st to 30th June. Monitoring of various issues.
- email from James Toal regarding Angus Duncan's report back on obstruction of right of way from Dunmore to Airth. Aileen commented there should be no hedges at the front of properties because conservations demands flat curtilage.
- email from PC Morrison re 'Pedal for Scotland'.
- email from Ruth Smith of Falkirk Council regarding the painting of Dunmore Well. Aileen to speak further to Ruth.
- copy of Licence for Marine Construction Works obtained by RSPB Scotland
- Notice of meeting held on 5/9/18 in Alloa Town Hall on subject of 'Hate Crime on Public Transport'.
- email from Murat regarding the setting up of Airth Parish CC Microsoft Teams - a discussion based collaboration tool that allow communities to share files, etc.
- email from Robert regarding confirmation of dates of all lets for future meetings.

- email from Catherine Hunter, who is now the local democracy reporter for the area for the Falkirk Herald.
- Community Safety Team report 1st to 31st July. Monitoring of dog fouling issues.
- email inviting anyone interested to attend Scottish Resilient Communities Conference being held in Cambuslang on Tuesday 30 October from 10 to 3.30. We have been allocated 3 places.
- email regarding Froglife - Pond Doctor stall - Come Forth for Wildlife project.
- email from Lightways in connection with arranging a meeting to viewing and buying some new Xmas lights (we only need 4 or 5 to complete the village).
- Community Safety Team report 1st to 31st August. Continue to patrol Higginsneuk for flytipping.
- email advising of temporary road closure at Castle View from 6 till 8.30 pm on Friday 28th September to allow for iron work replacement by Scottish Water.
- email from Robert to Cllr Coombes regarding Ronnie Martin's telephone number.
- leaflet - "Celebrating 25 Years of Production at KG" (Ineos)

6. Round the Parish :

This section was not dealt with at the meeting due to time constraints. However, the day after the meeting Robert communicated two issues which he wished to be noted.

- A fence has been erected next to the deep ditch on the road to the Pineapple. Robert has still to have a look at it.
- A Facebook post was seen by Robert which informed that the Elphinstone Inn has been bought and is being totally gutted by the new owners. A new bar and restaurant is being created which they expect to open in November. More information will be available soon but Robert hoping that the village will support this as there were many complaints and comments that there would be no pub in Airth when it closed and the plan was to change the use to dwellinghouses.

7. Treasurer's Report :

Aileen Amos informed the meeting that there is now £1057.45 in the admin account. However, we previously borrowed £150 from the Xmas Lights account, which can now be repaid. There is £2843.24 in the Xmas Lights account.

8. Planning Issues :

(a) Proposed 22 unit bungalows, Visitor Centre, Coffee Shop & Retail at Airth

Mains Farm : Notice of pre-application consultation which is to be held in the Airth Welfare Hall, Main Street, Airth on Thursday 1st November between 12 noon and 7.30pm when the proposals can be discussed with the developers (George Russell Construction Ltd). There was discussion around the aim to sell the homes to people over the age of 55 and whether this would be legal / ethical. Both Stephen Sloper and the local resident present voiced their feelings against this. Cllr Murtagh felt that in all probability the buyers of the homes would come from the village and any homes being sold in the village would most likely be to families, therefore there would be a need in the long term for local infrastructure to accommodate this. Stephen Sloper read out a set of comments made by Historic Scotland which, although not specific to this pre-application, nevertheless countered against building on land where "sightlines" could be lost. Both Jon Anslow and Robert Smith were keen especially for the plan for a visitor centre to be encouraged. There seemed to be no way that the Council would build one and this would be an opportunity for this to happen. Stephen Sloper said that a plan for a visitor centre should stand alone and not be tied to a plan for developing homes. Jon Anslow said there is no reason to make any objections currently, instead we should wait and see what develops. Cllr Murtagh said it was important to remember that this is still a pre-planning consultation, the outcome of which the Council would need to consider closely should a planning application follow. Some members agreed with Stephen Sloper who said that much more information is needed.

(b) Proposed Upgrade of Telecom site : Jon Anslow said that he was not against the proposed upgrade *per se* but was reluctant to give full support until a full risk assessment had been carried out with regard to the propane gas tanks situated beneath the mast. Jon had written a letter of objection relating to this but had not yet sent it.

(c) Management Realignment at Skinflats (RSPB) : Copy of letter to hand from RSPB Scotland in answer to Robert's letter sent on behalf of Community Council containing our responses to consultation process. Table set out our concerns and the RSPB's responses to them.

(d) Application for replacement windows to rear of a house in Shore Road : CC has no objections.

(e) Possible application for Dunmore Mill : Nothing further has happened with this.

9. Update on Flooding at Letham : Robert questioned the progress of the flooding at Letham. Stephen Sloper understood that the work was supposed to start today but

nothing seems to be happening (perhaps the windy weather today had stopped it). Cllr Murtagh advised she is constantly pursuing those responsible for carrying out the work but is finding it very difficult to get an update. She reiterated, as per previous meetings, that Scottish Water have allocated funds within this financial year so work should be done. A resident asked whether a complaints process should be implemented with ombudsman, Stephen Sloper thinks there are grounds for a public health complaint. They both felt that the work had a sense of urgency attached to it now and that it therefore should be carried out immediately. Living very close by and therefore having experienced the effects of the flooding, they would consider making a personal complaint.

10. Sea Defence Breach on the River Carron : Residents from Bothkennar area were in attendance tonight to highlight this particular issue. Ronnie Martin played a video on his phone showing the amount of water escaping from the breach. Ronnie also spoke of the Bio-diversity plan for this area, of which Falkirk Council have said that they have no plans to make any changes to the sea defence wall, apart from the routine maintenance which is ongoing. Cllr Murtagh read out information from Falkirk Council which reiterated this plan.

Ronnie and Charlie and Fiona Turner all spoke about the uncertainties of living so near to the flood plain and objected to people who do not live in the vicinity but who make plans for it, which on the face of it appear impressive but are not wholly realistic. They cited a computer generated image depicting the area without the embankment and showing the sea coming in and going out as an unrealistic example. SEPA don't consider the breach to be a risk that needs to be repaired and have no plans to do so.

Robert reminded the meeting that the bulk of the flood plain is not in our Parish but realised the danger of any flooding encroaching on us. He suggested that Grangemouth Community Council should also be approached. Ronnie spoke about a field between the Carron and the Forth which, after becoming vacant, has not been re-let by the Council and the speculation surrounding this issue. He had witnessed diggers out recently (Calachem) at the site of the breach. They appear to have made the decision to start the work themselves and although they haven't repaired the breach they have fixed the access road.

The direction of the discussions changed at various times from the issue of the sea defence breach to the RSPB Managed Realignment Project at Bothkennar Field.

There followed a discussion regarding the efficiency of the original bunds, believed to have been built by Dutch engineers. Charlie and Fiona had inspected them closely and were amazed at how well built they were - a foundation and stone wall on the sea side. It was agreed that these bunds should be valued and preserved. Alongside the bunds the root systems of the hawthorns have become established over hundreds of years and

provide extra stability. There is an anomaly in what can be termed bunds by RSPB as opposed to escarpments / embankments.

Ronnie spoke about the objections /concerns that were made to Falkirk Council when considering the RSPB plans for the area and his disappointment that the application hadn't been called in. Cllr Murtagh informed the meeting that there has to be a valid reason for calling in a planning application and added that in the event of this particular meeting of the Planning Committee she had had to excuse herself from it due to a conflict of interest. Ronnie was disappointed that Cllr Murtagh had not given him prior notice of this as he may have been able to have his views represented through another route.

Cllr Murtagh left the meeting at this point.

Robert gave information regarding the high tides between now and Christmas.

Jon Anslow wondered if an appeal can be made to the Scottish Government regarding the granting of this planning application. Strong and valid reasons would have to be given to which RSPB would undoubtedly have a strong defence of. Jon, on further consideration, felt that there may be a strong enough argument to go to Ombudsman and he asked Ronnie to start the process. Jon asked that Ronnie keep Robert updated and promised that Airth CC would add our weight to any objections.

11. Christmas Lights : Aileen estimated that a total of £1795 would have to be paid out this year to cover servicing and erecting of the Xmas lights. A meeting of the sub-committee will be held to decide how many new lights should be bought this year. The lights will be switched on on Friday 7th December and again a child from the school will be asked to switch them on. Sub-committee to decide on this also.

12. AOCB :

- Creation of more lairs at Cemetery : Robert had spoken to a Falkirk Council official about this issue, who agreed this was needed. This can be progressed but there may be objections, in particular from SEPA, who are against too many extra lairs being created for environmental reasons.

Jon Anslow concluded that there was no further business and therefore closed the meeting.