



Minutes 11th January 2022

1. **Attendees:** J. Sives (Chair), Cllr C. John, S. Campbell, L. Cullen, V. Garrad*, I. Masterton, K. McKeown, A. Pinkerton, J. Thomas, I. Watt, S. McKenna (KCDT).

Apologies: Cllr D. Timpson, Cllr T. Ullathorne, N. Gwynne, K. Rees*. (*KR and, initially, VG were unable to access the online connection. VG was able to join later)

JS advised that the order of Agenda items would be adjusted.

2. **Declaration of interest:** None.

3. **Actions from previous meeting:** Ongoing actions are as recorded below or elsewhere in these minutes, or are closed. JS updated the meeting on the following specific points:

- Dec. item 13.1: JS advised that this issue would be discussed at the Joint Forum. JT emphasised his belief that councils, including WLC, were being needlessly obstructive in discouraging road issues being reported via FixMyStreet, especially where a report is from a resident of a different council area, or involves an ambiguous responsibility, eg at the B7031/A70 junction. JS asked for a response from Cllr CJ

ACTION: – Cllr CJ to enquire as to WLC motive for deprecating FixMyStreet reports.

- Dec. item 12.4: Remains ongoing. See 7.3 below

4. **Approval of previous meeting's minutes:** No amendments to the draft-1.1 minutes as circulated were noted. IW proposed approval. AP seconded. The Minutes were approved.

In response to a query on the reported opposition in Leyden Road to wind turbine developments, JT advised that the 80% opposed figure represents about nine or ten neighbouring residents.

5. **Councillors' Report:**

- 5.1 Cllr CJ commented that the current working practices at WLC centralising all in-person working at a single WLC site, exposed WLC to potential catastrophic loss of key personnel in the event of a single major incident (eg, fire).

- 5.2 Cllr CJ advised that WLC had approved the introduction of double yellow lines in many areas, including in the vicinity of the shop in Kirknewton. This had been implemented without prior consultation, and IM expressed alarm that decisions of this nature could be made in such a manner. Cllr CJ reported that a meeting with IW and JS had identified a very real probable impact on the shop, with IW noting that it may not even be viable to continue in business. JS stated that the decision was a fait-accompli and not subject to further review or submission. IM expressed a strong objection to the way this had happened, and AP agreed that bypassing consultation in this manner is simply not acceptable. JS defended WLC's technical right to adhere rigidly to the minimum level of scrutiny prescribed by the letter of the law. IW concurred with IM and AP that this was a use of 'the system' that did not reflect well on WLC. IM queried why double-yellow lines were deemed necessary. Cllr CJ responded that this was the 'default' WLC 'easy option'.



5.3 Cllr CJ explained that there was scope for WLC decisions, including in planning, to be passed without reference to the relevant full committee. As such, elected councillors needed to be alert to this and call-in any potentially contentious decision. In response to a query from IM, Cllr CJ revealed that there is a supplementary list of planning decisions which have been passed under delegated authority. This list is circulated on a Friday to the elected WLC councillors, but he believed it is not circulated to Community Councils. He asked if IM received or was aware of this 'Friday' list. IM advised he was not. A robust lengthy discussion ensued. Cllr CJ offered to enquire at WLC if the 'Friday' list could be circulated to Community Councils

ACTION: – Cllr CJ to request that the 'Friday' planning list be circulated to KCC.

5.4 JT noted that the Christmas Break was habitually exploited by planning agents to minimise the ability of Community Councils to consider and respond to planning applications within the statutory time limit. In particular, any application relating to proposed developments on Leyden Road must be subject to scrutiny and comment. JS remarked that the manner in which the system is currently employed is simply 'Normal Procedure'.

6. Building on Active Travel / Park & Ride:

6.1 In NG's absence, JS reported that NG is preparing a submission on the updated P&R application. IM advised that NG had emailed immediately before the meeting to confirm the submission was nearing completion

6.2 LC noted that the timing of the application had been carefully crafted to minimise the ability to comment on and object to the application. She advised that several planning objections had not been uploaded, the portal was not working for several days and that over the Christmas period, all relevant content had vanished from the site. JS commented that this was a diabolical situation, with 177 objections received. LC stated that supporting information and photographs had also disappeared.

6.3 JT believed that most objections will be valid, provided they are logged as having been submitted in time. JS advised that WLC had agreed in writing that KCC has until Friday 14th to submit its response.

6.4 LC asked if the application would come before the DMC (Development Management Committee) in February. JS said he did not know. However, Network Rail are also now involved in the discussions, which may affect the timescales.

6.5 In response to a query from Cllr CJ, JS confirmed that the current proposal still fails to address Health and Safety concerns. There is also a loophole which would permit subsequent expansion of the P&R with little further consultation.

6.6 Cllr CJ requested clarification on the intentions for the War Memorial. JS stated that the War Memorial Committee was neutral on the current proposals for landscaping and the scope of the development (50 parking spaces)

6.7 SC advised that there is still a window of opportunity to submit comments to WLC on the application.

7. KCDT Report:

- 7.1 IW reported work had started on the Hall refurbishment.
- 7.2 IW noted a suggestion to KCDT that a permanent conifer be planted where the Christmas tree is erected annually. This would be more eco-friendly than a cut tree which is disposed each January.
- 7.3 IW advised that migrating the KCDT website to a new platform was still underway. Some of the issues raised previously by IM were expected to be addressed in the near future.
ACTION: – (ongoing) IW to ensure IM is able to upload KCC minutes.
- 7.4 VG joined the meeting, having resolved his connection issues.
- 7.5 SMcK reported that there had been no feedback as yet from the Scottish Government on possible funding for Steph and Debbie. He remains positive about the prospect of receiving the funding, but acknowledged that there is no good 'plan B' if it fails to materialise.
- 7.6 However, SMcK advised that the Scottish Government have increased funding for the Camps Junction development, which he believes is now 95% likely to go ahead. Much thanks is due to Hugh Hunter-Gordon who has worked tirelessly to bring this to fruition.

8. Planning:

- 8.1 VG reported that planning issues were currently quiet, apart from the Park and Ride. There was a brief recap of the foregoing discussion at 5.4 above
- 8.2 AP noted that a third extension had been added to the dog training shed on the Humble Holdings road. This development has been expedited by using retrospective planning loopholes at every stage. JS commented that this was not an acceptable use of the system. VG was instructed to write to Craig McCorriston to emphasise KCC's displeasure.
ACTION: – VG to write to WLC to complain at misuse of retrospective planning.
- 8.3 AP stated that there are ongoing issues with LGVs inappropriately using this road for access. JS concurred, and noted that ongoing interference with the ground infrastructure was creating an increasing flood risk.

9. AOB:

- 9.1 The meeting declined to vote on appointing SMcK as an Associate member. IM was instructed to contact SMcK to gauge his willingness or otherwise, with a view to voting at the February meeting
ACTION: – IM to contact SMcK.

10. Next Meeting

The next meeting is on 8th February 2022 at 18.45. Provisionally in-person at the Village Hall

The Chair concluded the meeting with thanks to all who had taken part.