

Kinghorn Community Council.

Minutes of the meeting held Thurs 16th November 06 at Kinghorn Community Centre

- 1) **Present:** - John McLeod (Chair), Marilyn Edwards (Secretary), Alex Cook, Rena Wallace, James Willis, and Collett Salvona

Also present Ron Edwards, Environmental Advisor, Sgt Scott Johnston and Members of the Public – J. Allan, W. Hill, M. Bain, G. Russell, A. Davis, C. Brown, C. Mitchell, R. Rammage, J. Lancaster, R. Neil and S. Wakefield

Apologies –Sadie Wilson, Martin Melvin, Cllr. Fraser Ballantyne

2) **Police Update**

Sgt. Scott Johnston said that he was pleased that he could attend the meeting but his attendance would depend on his shift pattern and he could also find himself covering other areas on occasions. He said that police presence had been needed on times over the past month. Some car break-ins had taken place, particularly with old style Corsa vehicles. Anyone owning one needed to be aware of this. Large gatherings of youths, local and from outwith Kinghorn were still congregating on Friday and Saturday nights, particularly around the park at South Overgate. They created a noise nuisance rather than alcohol problem. The police would continue to make visits to the area to keep a check on this. Secretary said that she had been asked by local residents to thank the police for their continued response to this problem. He continued to say that a serious crime had been avoided in Kinghorn. An assault had been caught on CCTV showing the perpetrator in possession of knives.

Lastly he added that they would be encouraging owners of holiday homes at Pettycur Bay that it was approaching the time of year when most thefts occurred at such sites and advising them on how to improve their security.

3) **Acceptance of the previous minutes**

These were proposed by Collett Salvona and seconded by Alex Cook.

It was agreed to delete the sentence containing “secret society” from the October minutes.

3) **Matters Arising**

- a) Response from Craig Ritchie, Building Control - security of the Tannery Buildings – He had once again seen to the securing of gates at entrances and reiterated that he would continue to respond as problems arose. It was suggested that the recent fly tipping at the entrances should be reported to Environmental Services for clearing.
- b) Response from letter to Chief Constable – Secretary had needed to find the correct name for forwarding this letter so the response was still awaited – suggested contact should be Chief Superintendent Laing.
- c) Planning Issues –
- Pettycur Bay Holiday Park – objections had been forwarded from last meeting. These covered access, traffic issues and consideration of renewable energies. Ron Edwards said that he had written to Development Services to ask that the south facing site be seriously considered for renewable and energy conservation. He was awaiting a reply.
 - Salmon Cottage Kinghorn – ask about restrictions to public access to the beach.
 - The secretary read out notification that the telecommunications mast at McDuff Crescent had been agreed subject to certain conditions.
 - Development Services had deemed that the Kinghorn Garage site by the Primary School, proposed for 35 houses, was not in keeping with the village character. The application was continued again.
 - The plans for the Lochside Development had just been submitted. The secretary would send for a copy for members to view. It was understood that 139 houses were proposed for building. There was no obvious footpath through or route across at the loch end, both were recommended from the inquiry.
 - A question was asked about the old Kinghorn Golf Club House being put up for sale and a two storey house put in the car park of it. No Planning Application had been seen concerning this, the secretary

would contact Development Services to ask about it and get back to Mr Brown who had made the enquiry.

- A comment was made that it was thought that the land at Tyrie Farm and Inverteil Farm in Kirkcaldy had been sold off to a major developer. Ron Edwards said that this particular land was included in the Fife Structure Plan as a major development area.

3) **Correspondence**

- a) Community Council Seminar Report – this was offered to members who wished to view it.
- b) Application for Common Good Funding £2,570 from Paula Cowie, for maintenance repairs to the Earthship Fife Visitor Centre. It was agreed that this be turned down because Common Good money was not given for repairs to buildings.
- c) Bago catalogue – hand tools for litter - noted
- d) The Scottish Rights of Way and Access Society – Annual Report 2006 AGM date Saturday 18th November 2006 in Edinburgh. No one expressed interest in attending.
- e) List of Household and Community Renewable Energy Information Booklets available free of charge. Address contact given out at the meeting.
- f) Blcc information on courses and events Nov/Dec. This was noted.
- g) Countryside Alliance – letter and poster about saving Post Offices in rural communities. Display this in the Community Centre.
- h) Letter from Scottish Exec. thanking us for our response on Transforming Public Services.
- i) Letter from Law & Admin. Fife Council explaining where funding may be sourced for small and larger projects.

3) Discussion about Kinghorn Community Land Association.

- A number of residents had raised concerns with the Community Council following KCLA registration of land to the Scottish Office for the Community Right to Buy. Ron Edwards, environmental advisor to Kinghorn Community Council was asked to compile an impartial report to circulate to members, prior to the meeting, so that an informed discussion could take place.

Ron Edwards began the discussion by outlining the contents of the report for those members of the public who had not yet seen it. He began by explaining that KCLA had been formed after a very well attended public meeting which had been called after concerns had arisen over the future of Craigencait Farm Ecology Centre (now Craigencait Ecology Centre). After the first company ultimately failed, KCLA 2005 was formed. The first land to be registered was on the East shore of the loch, including the car park area and the access road to it. The Community Council believes that the community of Kinghorn was very supportive of this application.

More parcels of land were considered for registration. A petition was organised, which gained more than the 10% approval required for registration and this land has now been submitted to the Scottish Executive for immediate consideration.

The main issues that the Community Council then considered from the report were

- Had there been sufficient public consultation for the community to make an informed choice?
- Was everyone who signed the petition fully aware of the proposals for the use of the land and houses if a community right to buy became an option?
- Was the whole proposal in the public interest?

There followed a long and full discussion. Primarily this item was on the agenda for members of the community council to gain a clearer understanding of the matter and its issues. A meeting with KCLA in May had not resulted in the Community Council even learning what land was being considered for registration despite asking directly. Chris Mitchell questioned why KCLA had not been invited and was told he was sent minutes and an agenda. Members of KCLA were welcome at meetings along with all members of the public.

Chris Mitchell was invited to speak on behalf of KCLA. He spoke for a very long time about their aspirations for the community and pointed out that although they had got to the point of registering interest it still

had to be accepted by the Scottish Executive. He defended KCLA decision not to give out information freely because developers may take opportunities to act on this. He also said that minutes were not used as a form of communication as it was thought to be better to rely on press releases, leaflets and meetings/discussions as a better form of keeping people informed. He said that he had requested meeting with the Chairman just prior to this meeting where he had given him a document called the Big Picture, which was the general overview for the future of the land. When asked, it did not appear that this document was available anywhere in the public domain. The only people with this document were those landowners who had been sent it by the Scottish Executive.

Richard Neil from Craigenalt Farm refuted that landowners were aware of the plans that KCLA had for the area around the loch. He said that this was only discovered when the documentation arrived from the Scottish Executive. He also stated that negotiations were already progressing with the farm owners to make provision for a new canoe club changing facility, but this was sighted as an aim in the KCLA overview for community buy out.

Some misunderstandings were also expressed. A Cook asked whether the landowners would be forced to sell. It was made clear that the Right to Buy would only be given to the community if and when property or land ever came up for sale. Then a full ballot of the people of Kinghorn would take place to establish support. Only after this would the bid to purchase the land go ahead. Also one member of the public (present at the meeting) said that they had signed the petition so that housing would not be built over the loch. This statement showed a clear misunderstanding of the role of the petition and exactly why fuller debate was required. It was explained that the planning enquiry of 2003 had resulted in permission for housing to be built on the old tannery sites on the north and south of the road and nowhere else. R. Rammage wanted to assure the meeting that KCLA had gone through the correct procedures in all their actions.

The discussion concluded with the following motion being proposed by James Willis and seconded by Marilyn Edwards. It reads:

“That this community council accept the tabled Discussion Paper of 13th November concerning applications for registering land by Kinghorn Community Land Association.

The community council has considered whether the applications adequately address and test the public interest of the community of Kinghorn.

It is considered that areas K1 and K2 (East Shore and proposed cemeteries) have been the subject of considerable public consultation and debate during the finalisation of the Kirkcaldy Local Plan deliberations and planning inquiry in May 2002, and is seen as fully supported by the community. The applications are considered to be in the public interest.

It is considered that the land presently leased by Craigenalt Ecology Centre has also been subject to considerable public consultation and debate through the public meeting of 2004 and the instruction of the community in setting up the original KCLA for the purpose of promoting this. Registration of this land has been shown to be supported by the community and the application for this part of K16 is considered to be in the public interest. However this land forms only part of the application area K16.

The community council considers that remaining application areas (including much of K16) have not been adequately tested for being in the public interest of the community. It is considered that these applications should either be suspended or withdrawn for consultation and debate within the community of Kinghorn or if this cannot be accepted, be refused, allowing for possible re-submission at a suitable later date.

The community council fully commits itself to assisting KCLA in carrying out the consultation and debate and in determining whether registration of these areas under Part 2 of the Land Reform (Scotland) Act 2003 is in the wider public interest of the community of Kinghorn.”

The resolution was agreed unanimously by the Community Councillors who were present, Collett Salvona had needed to leave the meeting just before the motion was taken, but agreed to support it on his return. The Chairman sought the agreement of the community councillors not at the meeting by contacting them later.

[Update: Martin Melville also offered his support for the resolution on return from holiday on 18th November].

Discussion of the meeting that Chris Mitchell had had with John McLeod prior to the KCC meeting was deferred to the next meeting.

Meeting closed at 9.50pm.

AOB

The next meeting will be on Thursday 14th December 2006 at 7.30pm in Kinghorn Community Centre

All members of the public are welcome.