

KILNINVER AND KILMELFORD COMMUNITY COUNCIL

The meeting of the above Council was held on Tuesday 9th of February 2010 at the Village Hall.

Present: Nigel Mitchell (NM) Chairman, Matthew Anderson (MA), Lindsay Davies (LD), Sarah Edwards (SE), John McLean (JMCL), Antoinette Mitchell (AM).

Also in attendance were Cllr Donald MacDonald, Cllr Neil MacKay, Cllr Elaine Robertson and 39 members of the public.

1. Apologies: Colin Clark.

2. Minutes of previous meeting: The minutes of the meeting on the 8th of December 2009 were taken as being a true and accurate representation of that meeting. Proposed- SE, Seconded- AM.

3. Matters Arising from previous meeting:

- a) **Speed Limit in Kilmelford** – Review ongoing. Action- carry forward to next meeting.
- b) **Bus Shelter in Kilmelford** - Plan is for seat to be put in tomorrow and shelter to be repaired by the end of February. Action- review at next meeting.
- c) **Roads** – CC has received email notification from Graeme Brown that all potholes and damage from recent severe weather to be fixed in due course. No specific issues raised.

4. Core Paths Presentation:

Douglas Grierson, Access Officer with Argyll and Bute Council delivered a presentation on The Core Paths Scheme that is undergoing a Consultation Process at present following the introduction of the Land Reform Act. This Consultation will be completed in July of this year so individuals and communities are still able to make representation if they feel a particular area could benefit from a Core Path or signage put in place to direct users to an existing pathway. Within the Kilninver and Kilmelford area there are 3 Core paths identified – 1) Kilmelford village over to Loch Avich. 2) Loch Avich over to Loch Scammadale and 3) Kilmelford village to Achnasaul.

This scheme can put signage up or create new paths with funding from e.g. Scottish Natural Heritage, Paths for all and some match funding through the council. It is envisaged that the individual communities will seek the funding through various initiatives to create the paths they want. Core paths hope to eventually produce a user guide to where the paths are and for what users they are suitable i.e. walkers, cyclists, horse riders, disabled users etc. and this is a resource that can be useful for individuals, visitors or community groups. The Core Paths documents and CD rom is held by the Community Council for reference. NM thanked Mr Grierson for his informative presentation.

5. Land around the Village Hall: On 21.01,10 NM and AM met with Richard Kerr and Fergus Murray in Kilmory to discuss the future of this project. The project has been refused because the Community Benefits are not seen to be great enough to approve the development. Now the new Local Development Plan has begun and nothing regarding this development will now happen until 2012 and we have had confirmation that no more than 5 houses will ever be approved. According to the Planning department the solution would be for the land to be gifted, without the plans for the games pitch, and with a lump sum of between £50 and £100 thousand. AM and NM have approached John Tilly, who stated he would not rule it out as a solution but wished it to be discussed at the Community Council meeting and to gain community opinion at this meeting.

We, as a community, would be required to identify the land for the new Local development plan in paper by 31.03.10. It was asked if previous stipulations such as John Tilly getting a percentage of profit should the community decide to sell the land in the future still apply. Robin Grey confirmed there is a written agreement in place that would stand no matter how the development proceeded, which included this issue.

The Chairman asked for a show of hands in favour of proceeding. This showed approximately 50% and the decision was made to carry on with the negotiations.

AM brought everyone's attention to the questionnaires distributed around the hall re the Local Development Plan and encouraged everyone to complete. It was asked if the issue of the land around the hall warranted more time than available at tonight's meeting. AM added this was not a new issue and it was opinion regarding continuing with what has been a lengthy and much discussed issue already.

Cllr MacKay added it was important to consider all areas in Kilninver and Kilmelford by 31.03.10 and if it was not highlighted at this stage it could jeopardise future planning issues.

6. Proposed Wind Farm at Raera: Attending for this part of the meeting were representatives from NPower and associates as detailed.

Karen Fox- Developer.

Jennifer Gascoigne- Developer.

Katy Woodington- Community Benefits Officer.

Gary Parker- Community Consultation Consultant.

Gareth Mills- Planning Officer.

The application for the proposed wind farm is now in and the period for opinions to be lodged with the Council closes in 2 days time.

From the telephone call survey (detailed below in Planning Applications) made a compilation of questions had been presented to NPower and they had produced a handout detailing the questions and answers. Copies of this handout were distributed at the meeting with a copy being held with the Community Council for reference. Questions leading on from the discussion that followed the exploring of this handout and new questions were dealt with by the NPower team and also led on to lengthy discussion within the room. The main areas of concern were –

1. The application for the turbines is the application that has been lodged but this does not include the proposed jetty that will be required in Loch Melfort for the turbines to be transported to or the power lines that will be required to remove the generated electricity from the turbines. It was felt that it is difficult to consider the development when not all the information is present regarding all 3 facets because they will be proposed as 3 separate planning applications. Regarding the proposed jetty Karen Fox pointed out that this is the subject of a Scoping Exercise happening at present so there is information within the public domain about this. Appendices to the application also detail alternative proposed routes to Taynuilt (likely point for introduction to the grid) on wooden poles carrying overhead lines.
2. Effects on Health.
3. Traffic and transportation.
4. Height of turbines and visual impact. It would appear that the proposed height is higher than those in the pictorial montages.
5. Effects on local tourist industry.
6. Felling of some ancient woodland and quantity commercial forestry removal.
7. Noise levels during construction period.
8. Community Benefits.

Karen Fox, on the issue of height of turbines suggested that if individuals care to supply her with the name or location of a wind farm they are familiar with she will ascertain the heights of those turbines for comparative purposes. She also left with the Community Council a copy of the Seil Community's Question and Answer handout.

Also issued was a leaflet re Community Benefits Packages. NPower broadly state they work along with Argyll and Bute Councils Policy of £2,000 per megawatt installation on an annual basis for the duration of the wind farm.

7. Planning Applications:

1. Proposed wind farm at Raera Forest comprising 15 turbines of height 125m.

The Community Council, as decided at the last Community Council meeting, have conducted a straw poll of the community. It was intended to obtain an up to date copy of the Electoral Register to do this, however, as a Community Council we are only entitled to a copy of the unabridged Electoral Register for election of Community Councillors. For our purpose we could only purchase the edited version that many people opt out of which would have been inaccurate for our task. It was decided to use the Kilninford Phone Directory as this was deemed to be the most accurate representation of our community. People were contacted by telephone, with messages left where possible and recalls done where no answer gained. It was acknowledged that this was not a standardised or all encompassing survey as only 55% of the community had been able to be made contact with by the 5 members of the Community Council completing the survey. The intention was to try and gauge the general feeling of the community at large for the Community Council to see if there was a strong feeling for or against this proposed development. Of the 168 people whose opinion was gained the following results were obtained (the electorate as of 01.04.09 was 305)

For = 63

Against = 74

Don't know = 31

Lengthy discussion ensued as to how best use this information accepting its limitations. Of those present in the hall the majority opinion was against the proposal, with 19 people stating they had not been contacted and of those 1 was for and 18 against the proposal. Again, discussion ensued as to how best to utilise this information in a valid way.

It was decided that AM would write to the Planning Department listing the areas of concern regarding the development as discussed in the previous part of the meeting.

Cllr MacDonald added it was useful to strenuously comment on the 3 elements of the development as separate planning applications causing difficulty in considering the overall proposal.

Cllr MacKay clarified that should more than 20 individual objections be received then an automatic public consultation process would begin. He added that, the exception of himself, due to Planning Committee obligations, the Local Councillors can be petitioned and asked for support and advice on planning issues.

Cllr Robertson commented she felt the Community Council had endeavoured to consult with the community and encouraged the community as individuals to write with their concerns.

2. Application for erection of dwelling house at Lagganbeg, Scammadale. Concerns raised by neighbouring properties regarding the operational basis of this building on an historical basis (permission granted in the past for houses on operational need then changed in subsequent application) and on the basis of proximity to other dwellings. Also, on basis of very large footprint of proposed farmhouse. Concern also raised re application for the barns as there exist barns on this farm land already with permission granted in previous application to knock down and redevelop with 3 houses. Action – AM to write to Planning Department supporting concerns.
3. MA raised a concern on behalf of Isobel Smith regarding an already approved application for the Microbrewery at Cuilfail Hotel. Now added to this development is a gate across the access which Mrs Smith shares with the hotel but will impede her own and services access to her property. It is unclear as to whether this is a planning or roads issues or indeed anything that the Community Council can assist with. Action- NM to discuss with the Planning Department and feedback to Mrs. Smith.

AM made reference to the subject of the Local Development Plan consultation as discussed in item 5. She encouraged everyone to consider local facilities and potential future developments and to complete the questionnaire as circulated.

Correspondence:

LD brought to everyone's attention the correspondence laid out on the table and highlighted the following correspondence received by mail and email

1. Notification of New Land use Planning Consultation Meeting
2. Notification of Community Planning Seminar 12.01.10.
3. Notification of training available for Community Councillors.
4. Notification of by-election for unfilled Community Council seats, same displayed in community but no nominations received for KKCC.

5. Request from Public Catalogue Foundation for notification re works of art owned by CC. LD to respond in the negative.
6. Notification re Severe Weather payment. All those eligible will be paid automatically.
7. Notification of prolonged absence of Ian MacIntyre, Team Lead Planning Officer and cover arrangements in place.
8. Health Issues in the Community Course- notices displayed on notice boards.
9. Notification of consultation regarding provision of respite care in area.
10. Notification of consultation regarding forest and woodland.
11. Letter from local resident regarding his personal opinion on several matters raised in last CC meeting. This included comment regarding statutory requirements of CC. For clarification the CC is required to advertise their meetings 10 days ahead of the meeting occurring. This is done by posting a copy of the Agenda and draft minutes from the previous meeting on the CC notice boards in Kilninver and Kilmelford. The CC also chose to display the same on the Village hall notice board or door and also post an agenda on the large tree on the right on the road into Scammadale. Our approved minutes are lodged with the Council, sent to the web manager of the Kilninver, Kilmelford and Arduaine village website for inclusion, published in the Kilninford news and a hard, signed copy retained by the CC. KKCC does not own or participate in the running of the Kilninford News.

NM reported he has received LD resignation from post the position of secretary and Community Councillor. He offered his thanks to LD for her work as secretary over the previous 3 years. He asked those present to consider if any one would be able to assist in the role of Minute Secretary. This task does not require election to the Community Council.

Any Other Business:

None raised.

Date of next meeting:

The next meeting of Kilninver and Kilmelford Community Council will be held in the Kilmelford Village Hall on Tuesday 13th of April at 8pm.

There being no further business the Chairman closed the meeting at 11pm. .