

Monikie and Newbigging Community Council

Minutes of Meeting 7th February 2018

Members/ Councillors Present

Iain Richmond, Hamish Evatt, George Winslow, Betty Winslow, Caroline Richmond, Cllr Mark McDonald, Cllr Brian Boyd and Sergeant Sean McQuade (Police Scotland)

The Chairman opened the meeting and welcomed members of the public in attendance.

Apologies

Cllr David Cheape

Minutes of Previous Meeting

Minutes of meeting 6 December 2017 were read and agreed.
Proposed by Hamish Evatt and seconded by George Winslow.

Police Liaison Officer's Report

Sergeant Sean McQuade from Police Scotland gave a report of criminal activity in the area involving the theft of trees, school vandalism and various incidences of theft from rural premises.

He particularly described an incident in Arbroath where groups of between 60 and 100 youths of all ages were fighting in the street and expressed concern that this type of incident may spread with younger children becoming involved.

He emphasised the need for public awareness of security of premises in rural areas and he agreed to the suggestion that we repeat the recommendations included in previous minutes:

- Locking of vehicles on roadways and in private drives.
- Locking of garden sheds.
- Security lighting and burglar alarms.
- Switching on timer lighting in winter months.
- Reporting any suspicious vehicles or individuals immediately to the Police.

On a very positive note he said that through the Challenge Fund 47 football / dance workshops had been organised for young people in the area.

He informed the meeting that police premises in rural communities which had not been in use for years will be sold. These were Letham, Friokheim and Birkhill but in terms of policing these areas nothing has or will be changed. Police premises in Monifieth, Carnoustie and Arbroath remain secure.

Treasurer's Report

The balance at present is £534.24

Tree Felling at Denfind Curling Pond Site

George Winslow introduced this item by explaining that following a meeting of committee members it was agreed that provision of a timeline detailing the involvement of agencies and individuals at the site would provide a basis of determination of the roles of respective agencies in this and similar matters and – importantly – the limitations of current legislation.

It is clear from the account that Angus Council within the bounds of its remit is unable to intercede and halt at any stage the activities of opportunistic developers.

It is evident therefore that the responsibility for initiation of preventative measures to safeguard natural habitat rests with private individuals and if necessary the Community Council.

It is useful therefore on the basis of this timeline to be familiar with the appropriate agencies to be consulted should the need arise in the future in order to prevent unwarranted or criminal damage to the environment.

The Scottish Government is currently preparing new legislation relating to land use and conservation and on the basis of this experience and the absence of cohesive strategy to deal with such situations Angus Council could provide useful information to the Government body shaping this legislation.

We are advised by Graeme Dey MSP that this legislative process is in its early stages and that he has informed Rosanna Cunningham, Secretary for the Environment of the situation.

There is, therefore, an opportunity arising for the creation of effective legal procedures and as well as the devising of a clear pathway to be followed by both members of the public and local authorities in order to prevent unwarranted or criminal damage to the environment.

Copies of the timeline were distributed to the members and councillors and Betty Winslow spoke to its content for the benefit of the public in attendance.

The chairman referred to Cllr Boyd who read out the response from Alan Mc Keown Strategic Director of Angus Council describing the Council's involvement and indicating although there has been no breach at present of planning control an

Enforcement Case will be opened in order to facilitate collation of all relevant correspondence.

In his submission he drew attention to the fact that despite being a native woodland and an area designated by SNH as semi-natural woodland the site does not benefit from any additional protection beyond that offered by the Forestry Commission felling licence requirements.

He indicated that in response to pre- application enquiries regarding erection of housing on the site all parties were informed of the likelihood that application for planning permission would be refused on the basis that the site did not conform to the criteria in respect of residential development in the countryside.

The agent appearing to act on behalf of those undertaking the tree felling was informed to this effect.

Alistair Harbison from the floor of the meeting made valuable contributions to the discussion of the issue describing his extensive communication with all statutory agencies in particular Angus Council who have historically made considerable investment in order to enhance the environmental role of the site through, for example, erection of the “ Toad Wall “ and creation of an otter tunnel, all of which has been of proven value and been a focus for community activity.

As a result of his discussion with various agencies such as The Woodland Trust various proposals had been made including securing designation as a conservation area in conjunction with the Country Park.

If such is considered it may be possible to secure European funding for the purposes of purchasing the site from the current owner.

Member of the public, Rae Gray, emphasised that wildlife had been seriously affected and that this issue should receive the same priority as the illegal and unauthorised tree felling.

Other contributions from members of the public concurred with consideration of the environmental value of the site and concerns for the security of its future status.

In conclusion the community council fully endorsed the concerns of all and undertook to support and contribute to all feasible remedial actions and to continue to press for intervention when required.

Councillors Questions and Answers

The yellow lines restricting parking outside the park entrance scheduled for the beginning of November 2017 have still not been installed. This was brought to the attention of councillors on 6 December 2017.

Cllr McDonald informed the meeting that the contractor was given an 8 week period to complete work but that winter conditions had determined that this work was not yet done. He will enquire about the progress of this issue.

Hamish raised the issue of the fly tipping of 2 bags of asbestos which had been raised at the meeting of 6 December 2017. As this is at the **Curling Pond site** and the council had indicated that the owners had been contacted with respect to the removal it was felt that this should be pursued immediately as the owners had been on site removing trees but had not removed the bags.

He also pointed out that he had observed that there was an Angus Council sign at Kingennie House which warned the public that fly tipping was an offence and could incur a considerable fine and suggested that they use the council facilities named and gave details. He wondered if Monikie could be provided with this.

Planning

George distributed to members details of 5 pending applications but drew attention to the fact that a previous application (Ref: 17 / 00495 / PPPL) for erection of a dwelling house at Naraden, Panmure Road having been refused by Angus Planning was appealed successfully on 23 January 2018

The initial refusal placed emphasis on the fact that application fell outwith the ALDP 2016 but in consenting to this application the DMRC clearly revised the initial decision in relation to the ALDP which appeared to relate to the pre-existence of a property on the site.

Beyond this George felt he was not equipped to address the subtleties involved in granting permission but raised the concern of the committee that the provisions of the ADLP would appear to be flexible under certain circumstances and act in the favour of developers.

In this respect he expressed his concern that this sets a precedent in respect of future applications for development on sites out with the proscribed boundary for development in Monikie and in particular the **Curling Pond site**.

This issue was directed to the councillors and Cllr Boyd undertook to respond but in general terms only.

Planning Application (17 / 00917 / FULL)

This application relates to structural developments within the working area of Pitairlie Quarry (Denfind Stone) and the views of 3 members of the public in this respect were allocated equal time to be heard by the committee.

Mrs Lesley Dorman – a principal objector of the application made her presentation summarised as follows:

- With respect to noise she stated her view that these had never been adequately measured at her place of residence immediately adjacent to the quarrying point and close to the processing unit.
- She stated that stone dust was constantly present in the environment and indicated that she possessed photographs of cars covered in dust.

- She outlined her understanding of silica dust and the implications for health and emphasised that she lives downwind of the process.
- She referred to her experience of contact with SEPA and Angus Council and indicated that as a result she intended to request a detailed environmental assessment.

Mr David McGovern – sculptor and resident of Monikie

- He identified himself as a sculptor utilising the products of the quarry and as a frequent visitor there he was familiar with the working practices there.
- He compared his knowledge and experience with what he regarded as erroneous references in the leaflet which had been distributed locally.
- He stated his belief that the working practices at the quarry did not pose any risk to health.

Mrs Alison Binnie – Denfind Stone

- Mrs Binnie as co-owner of the working quarry gave a detailed response to previous complaints and concerns and described the various evaluations by statutory authorities relating to health and safety issues, both on site and within the environment.
- She emphasised that in all respects the workings and effects environmentally of the quarry had fallen within nationally accepted limits and expressed her concern over inaccuracies in the leaflet circulated in the village.
- She indicated that in the 14 years that Denfind Stone has been operating the regulators had only dealt with complaints from one household and that none of these complaints were substantiated.
- She reasoned that much had been made of the generation of silica dust from the quarry but argued that silica dust is generated by a variety of sources in daily life and emphasised that working practices in the quarry comply with all health and safety regulations and statutory legal requirements this being applicable to both the workforce and the environment.
- She emphasised that the organisation had been subject to an unauthorised visit by the HM Inspector of Quarries in November 2017 and the report to Angus Council stated that he was satisfied with the principles of health and safety management which were being applied, including control of respirable crystalline silica.
- As a footnote he noted certain good controls which were in place and stated his intention to disseminate these to the wider stone industry.
- She accepted that noise is generated but emphasised that there is full compliance with regulations as stipulated by Angus Council in line with WHO guidelines and remains subject to on-going monitoring by both the Council and commissioned noise specialists using calibrated scientific equipment.
- In consultation with Angus Council considerable measures are taken to mitigate against noise from their screener in the extraction area and as point of note she indicated that the screener in 2017 had only been operated for a total of 42 hours over a period of 17 days.
- She informed the meeting that the proposed shed and concrete hard stand was designed to rationalise the processing area, increase efficiencies and improve

the movement of stone thereby further improving health and safety and the working environment.

- It is intended that this development will drastically reduce vehicle movements within the extraction and processing areas and also eliminate many of the trips across the road to the farm buildings.
- She said that the new product which is being produced is in the form of a thinner slip of stone for cladding and will consequently require a third less stone for production.
- Less extraction will therefore be required for the same amount of product and even if demand increases the quarry is limited in the amount of stone it can produce per annum with the result that the extraction rate cannot grow significantly.
- She emphasised that in context aggregate quarries extract the same tonnage per week.
- In conclusion she drew attention to various projects nationally with which the quarry is involved and the extension of sales internationally and expressed the willingness of the owners to respond to enquiries for further information about any aspect of the working and management of the quarry.

The chairman thanked the three speakers for their contribution to this agenda item and invited any comments from the public and members present.

Mr Forbes (Kingennie) indicated that he wished to make a personal objection to the content of the leaflet distributed anonymously in the area relating to this application. He felt that it had been insensitive and totally unacceptable to use scaremongering about cancer in the leaflet.

Graham Carter, the owner of nearby site on which a wigwam development is planned raised an objection to the noise and dust and change of working hours which he believed to be 7am till 8pm.

Alison Binnie corrected him on this point and clarified that the hours were in fact 7.30 am – 5pm on weekdays and 7.30am – 1.30 pm on Saturday.

The chairman asked Mr Carter if he was unaware that there was a working quarry nearby when he planned this development and he replied in the affirmative Mr Carter was concerned about noise levels of reversing traffic affecting the users of the proposed wigwams and Alison Binnie responded by informing the meeting that the warning reversing noise had been changed from a tonal beeping to a less intrusive white noise as a health and safety requirement.

Council member Caroline Richmond asked if tests for silica dust have been done in Monikie area. Lesley Dorman was unaware of any and Alison Binnie informed the meeting that tests were done in the workplace and externally over 8 hours and that all levels demonstrated that they were within limits. She explained the system of dust control.

Mr Brian Binnie issued an invitation to visit the quarry to both Mr Carter and Lesley Dorman and any member of the local community.

The chairman thanked all for their contribution and the members of the public for attending.

Charity Funding Opportunity

An e-mail had been received from Christine Hair MP South Angus outlining an opportunity for funding up to £2,000 from the Postcode Lottery. As this has a deadline Iain suggested the committee meet to discuss ideas for C/C and he will contact the hall committee also to alert them.

Good Citizen Award

The chairman outlined proposed ideas as conditions applicable to the proposed award as follows:

1. To be awarded in recognition of outstanding voluntary contribution to the benefit of our community.
2. To be awarded every four years at the end of the C/C elected period.
3. Nominations to be made by residents of the parish.
4. C/C members to choose the winner.
5. Appropriate award to be presented.

These proposals will be discussed in detail and finalised at a future date.

AOCB

Mr Brian Lornie, member of the public, enquired as to how items were selected for inclusion in the agendas for meetings as he had mistakenly believed a certain item was to appear at this meeting. Hamish explained the procedure for raising issues.

It was agreed that Mr Lornie make contact with the chairman to submit information re licensed shooting on farmland in the area given its popularity for dog walkers in particular and concerns over public safety.

Specifically, on Caroline Richmond's suggestion he agreed to provide dates and other relevant information for the future attention of the committee.

Date of Next Meeting

WEDNESDAY 7TH MARCH 2018

