

**ROYAL BURGH of WIGTOWN & DISTRICT COMMUNITY COUNCIL**  
**MINUTES OF ORDINARY MEETING**  
**HELD IN THE COUNTY BUILDINGS, WIGTOWN,**  
**ON MONDAY, 11 APRIL 2016**

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[www.WigtownCC.org.uk](http://www.WigtownCC.org.uk)

**PRESENT**

Matt Kitson <i>Convenor</i>	Willie McCartney <i>Vice Convenor</i>	Jak Kane <i>Secretary</i>
Ann Gray	Kerr Inger	David McAdam
Joe McKeown	Robin Richmond	Nick Walker

**IN ATTENDANCE**

David Moran	Cllr Alistair Geddes	Cllr Jim McColm
Louise Kerr ( <i>Galloway Gazette</i> )	David McKay <i>Wigtown Free Press</i>	Police Scotland

**APOLOGIES**

Jock McDowall	Cllr Graham Nicol
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**1 WELCOME, APOLOGIES & CALL FOR URGENT OTHER BUSINESS**

Matt Kitson welcomed those present to the Community Council meeting. Apologies were noted from Jock McDowall and Cllr Graham Nicol. Items put forward to be discussed under Other Business included the newly installed bus shelter, Wigtown Area Committee agenda and Whauphill.

**2 POLICE MATTERS**

A police representative advised that the only recent incident of concern in the Wigtown area had been three noise complaints about the Galloway Inn and a report had been submitted. There was a current operation to deal with bogus workmen crime and an ongoing issue with overnight break-ins principally at outlets that sold cigarettes, ie shops and filling stations. As a result of a traffic campaign in the Newton Stewart and the Machars area, six Fixed Penalty tickets had been issued to young drivers.

**3 APPROVAL OF MINUTES OF PREVIOUS MEETING (Monday, 14 March 2016)**

The minutes of the previous meeting had been circulated and it was agreed that the paragraph in Section 5 on Dumfries Against Pylons (DAP) should be amended to reflect that it had been agreed that the Community Council should 'not' add its name to the joint letter of objection.

Subject to this amendment the minutes were adopted; proposed by Robin Richmond and seconded by Nick Walker.

**4 UPDATES & REPORTS**

**A: Consultations WP**

Jak Kane had circulated a report (Appendix A) providing updates on two consultations discussed at the Community Council's previous meeting and a further two current consultations that were in some way relevant to the Community Council:

- Jak said that he had contacted Marine Scotland to clarify why the maps and data included in its consultation document did not include Dumfries & Galloway, although they were consulting on **landing controls for the Scottish crab and lobster fisheries** that it proposed to introduce around the entire Scottish coast. Marine Scotland's Policy Officer for Inshore Fisheries Management had advised that the Solway Firth region had not been included in the Scottish fisheries assessment areas as it crossed with Irish waters. He had also claimed that for the species being considered in the consultation "*few landings have been reported from Fishing vessels in this region*".

- Given the recent proposed cuts in public transport provision, Jak again highlighted the opportunity to participate in the **Transport Survey** SWestrans had commissioned which would identify transport problems which affect the Dunragit/Glenluce/The Machars/Newton Stewart area.
- Jak explained that the two new Scottish Government consultations were connected with secondary legislation proposals and draft regulations related to parts of the **Community Empowerment Act**. The first addressed the proposed procedures and processes that would apply when communities looked to exercise their right to buy land and buildings without a willing seller. The Community Right to Buy under the current Land Reform Act only allowed the community to buy property where it had been placed on the market for sale or where a purchase was agreed by the owner. The second consultation addressed the draft regulations that would apply to community bodies looking to exercise their new right to request the transfer of land and buildings belonging to public authorities.

### **B: Planning WP**

Nick Walker had circulated an updated version of the WP's report (Appendix B) providing information on new applications and updates on previous applications considered and Renewable Energy proposals. The report and the Working Party's recommendations were approved.

Nick Walker confirmed that the Reporter looking into the Planning Appeal for the California Wind Farm had visited the site and area on 6 April. Although the related letter failed to make it clear, the Reporter had come to the western side of Wigtown Bay. Joe McKeown reported that he, along with others, had attended at the California site but were not allowed to lobby the Reporter. However, he felt that the number of those present made the point of how strongly locals feel about the proposal.

Cllrs Geddes and McColm took no part in the discussion on planning issues.

### **C: Louis McGuffie VC Commemoration Working Group**

Nick had also circulated the Minutes of the Working Group's meeting of 21 March 2016.

Nick had met with local sculptor, Jack Sloan to ascertain if he would be interested in providing a design for the proposed gateway to the gardens. However, having looked at the existing gateway and the impact of the newly installed bus shelter, Jack Sloan had said that the site looked crowded and had suggested that the gateway should be positioned at the other end of the gardens opposite the County Buildings. The Working Group would work up proposals to present to the public for consultation in August 2016.

The centenary of Louis McGuffie's award of the VC would fall on Friday, 28 September 2018 which was likely to be the start of the Literary Festival and Nick was to meet with the Festival Director to co-ordinate the celebrations that would include the act of inauguration, an ecumenical service and a civic reception.

The next meeting of the group would be held on 31 May 2016.

Matt Kitson had circulated a response from Douglas Kirkpatrick confirming that the shelter provided and its positioning were not as agreed in the consultation with the Community Council. SWestrans proposed that a shorter replacement shelter be installed with no information panel, no 'flag pole' and with the "Royal Burgh of Wigtown" in gold lettering. The repositioned shelter would terminate before the right hand pillar of the park entrance. Mr Kirkpatrick had asked that Community Councillors meet with him to discuss any concerns prior to the work being progressed and it was agreed that Matt would arrange a meeting at which Willie McCartney, David McAdam and Joe McKeown would represent the Community Council. It was noted that buses were still not using the routes for which the shelter had been provided despite and it was agreed that Matt would also ask SWestrans to clarify when the new system would be activated and highlight the need for the proposed work to be completed before this year's Literary Festival. **ACTION:**

**Matt Kitson**

## 5 TASKS FROM PREVIOUS MEETING

***Derelict Properties:*** Cllr Geddes confirmed that he had heard nothing further back from the Council re 24 High Street. He undertook to contact DGHP to ascertain the up-to date position with the development of its property in North Main Street. **ACTION: Cllr A Geddes**

It was agreed that the Community Council would write to insist that the Council take formal action under Section 179 of the Town and Country Planning (Scotland) Act 1997 by serving a notice spelling out the specific steps that need to be taken to abate the adverse effect the derelict property was having on the amenity of the area with the work being carried out within a specified time. If not willing to initiate the enforcement process, Alistair Speedie would be asked to come to the Community Council to justify why he was not willing to act when the derelict property was within an Outstanding Conservation Area and the problem had been an issue of concern for over three years with no progress achieved in that time.

**ACTION: Matt Kitson**

***Broader Machars Federation*** – Nick Walker advised that there had been no Federation meeting since the last Community Council meeting. He confirmed that its AGM had been convened for 7:30 on Friday 3<sup>rd</sup> June in the County Buildings to which all Wigtown Community Councillors were welcome to attend. The Federation would be agreeing its constitution and electing Office Bearers. Richard Arkles MP would be there and would speak on local issues such as broadband and mobile phone coverage.

***Community Resilience*** – Matt Kitson confirmed that he had passed information to Wendy Jesson re Resilience grant.

## 6 WIGTOWN COMMUNITY FESTIVAL

Matt Kitson said that he had sent an email out to convene a meeting of the organising group for 19 April 2016.

Nick Walker confirmed that the new board of the Riding of the Marches had met and agreed for a representative to attend the Festival meeting. The Riding would be on 2 July to coincide with the crowning of the Princess and a new route had been set out with the riders coming through the town more often and from different directions.

## 7 COMMUNICATIONS, CORRESPONDENCE, ETC

***Info Commissioner***- a reminder to renew Data Protection Registration had been received - £35 due 3/5/16.

***Chair of Eastriggs Dornock & Creca Community Council*** – email seeking funding sources for replacement Christmas lights.

***Notice of Scottish Parliamentary Election*** on 5 May 2016 had been received and displayed in Machars Action window.

Minutes of ***Wigtown Area Committee meeting with Transport Scotland, Scotland Transerv, Police Scotland and DGC*** dealing with A75/A77.

***DGC household waste recycling centres*** – re changes to opening hours due to contract dispute.

***Avvocato Gianantonio Tassinari*** had emailed from Ravenna Italy asking for information on Wigtown's Coat of Arms and civic seal. Mr Tassinari is a student of civic heraldry and Spheragistics (science of seals).

***Pot holes in Shell Road, Kirkinner*** – a resident, John Gibson, had complained about pot holes in the road. Jak had referred him to the Council pot hole line so that the exact position of the problem could be identified.

***Police Scotland*** – A letter had been received highlighting the national increase in the number of sheep worrying reports and the penalties for the crime of Dog worrying.

## **8 COUNCILLORS' ISSUES**

Cllr McColm was able to confirm that no schools in Dumfries & Galloway had been built by the consortium involved in the Edinburgh Public Private Partnership. In any event Wigtown and Kirkinner Primary Schools were built much earlier.

The Council was currently reviewing charges for Licences and services.

Cllr McColm advised that he and Cllr Geddes had attended the aforementioned Transport meeting that had discussions on issues related to the A75/A77 and had agreed actions, including improvements on the A75 between the A712 and Palnure. Cllr Geddes said that it had been claimed that D&G were well served on a £ per mile basis when it was obvious that historically the A75 had been grossly underfunded. He also thought that Police Scotland, having responsibility for road safety, should be more proactive in insisting that road improvements should be made.

Cllr Geddes went on to highlight that, due to Cllr Nicol's prolonged absence, meetings of the Wigtown and Whithorn Common Good sub-committee could not be quorate and consequently applications for support would be passed to the Area Committee for consideration. The Community Councils covering Wigtown and Whithorn would normally be invited to attend the Common Good meetings and encouraged to air their views on any application. On 20 April the Area Committee would consider an application from Newton Stewart Traditional Music Festival that asked for £800 support from Whithorn Common Good and £200 from Wigtown Common Good. However, the Mid Galloway Councillors were seeking the views of the two Community Councils involved and support for the councillors' sense that the application should not be supported. Cllr Geddes said that he was in favour of the Festival but there was no evidence in the application of the number of young people or residents from Wigtown that would be involved or benefitting. There was a presumption that Common Good funds should be exclusively used for projects of lasting benefit to the inhabitants of the Royal Burgh of Wigtown. It was unanimously agreed that the Councillors should be supported in their stance that the application for support from the Wigtown Common Good fund should be denied.

## **9 OTHER URGENT BUSINESS**

The only piece of business still to be considered was Whauphill where the Community Association was looking to buy the BT phone box for the community to use as an information and notice board but did not have the charitable status that would enable it to secure it for £1. Matt Kitson agreed to liaise with the Association to try and resolve the issue. The Association was also looking for solutions to the problem of crows nesting in trees to the rear of the hall. Cllr Geddes said that he had already acted on the enquiry and an arboroculturist would be visiting to identify what could be done to alleviate the problem.

## **10 NEXT MEETING**

**Monday, 9 May 2016, at 7.30pm, Wigtown County Buildings**

## Appendix A. Consultations Working Party Report – April 2016

### CURRENT CONSULTATIONS

#### **a) Consultation on landing controls for the Scottish crab and lobster fisheries – Marine Scotland. Closing date: 20 May 2016**

<https://consult.scotland.gov.uk/marine-scotland/crab-lobster-landing-controls>

Ross Cumming, Marine Scotland's Policy Officer in Inshore Fisheries Management & Coastal Communities advised that, as it crosses over with Irish waters, the Solway Firth region has not been included in the Scottish fisheries assessment areas. He also claims that, for the species being considered in this consultation (brown crab, velvet crab and lobster), few landings have been reported from Scottish fishing vessels in this region. Having said that, although not included in the consultation document presumably Dumfries & Galloway will still be governed by the proposed landing controls as its coast is in Scotland.

#### **b) Transport Surveys – SWestrans. Closing date – 27 May 2016**

Ironic that SWestrans (the Transport Partnership for Dumfries and Galloway) has commissioned Sustainable Transport Options Studies to identify transport problems which affect the area and the surrounding communities on a day to day basis at the same time as it is proposing the withdrawal of bus services to the area on Sundays and after six in the evening on other days. Similarly Swestrans are looking to cancel the Stranraer-Cairnryan bus service while having aspirations for rail station re-openings for the Thornhill, Eastriggs, Dunragit/Glenluce./Newton Stewart/The Machars and Beattock areas – will there be bus connections to/from the stations?

Individuals can still complete the relevant online surveys for [Dunragit/Glenluce/The Machars/Newton Stewart transport study](#)

#### **c) Consultation on secondary legislation proposals relating to Part 3A of the Land Reform (Scotland) Act 2003 – the community right to buy abandoned, neglected or detrimental land as introduced by the Community Empowerment (Scotland) Act 2015 – Scottish Government. Closing date: 20 June 2016**

Part 3A of the 2003 Act gives community bodies the right, in certain circumstances, to buy land without a willing seller, when the land is wholly or mainly abandoned or neglected, or the use or management of the land is causing harm to the environmental wellbeing of the local community. Before submitting the right to buy application the community body must fulfil certain criteria, for example:

- the community body must have tried to purchase the land,
- if the use or management of the land is causing harm to the environmental wellbeing of the local community, the community body must have approached all relevant regulators and asked that they take steps to reduce or remove the harm being caused to the community,
- the purchase of the land must be in the public interest, and
- the purchase of the land must be compatible with furthering the achievement of sustainable development of the land.

The consultation addresses the proposed procedures and processes that would apply when communities look to exercise their right to buy. The consultation document is available for download at [https://consult.scotland.gov.uk/community-land-team/abandoned-land/user\\_uploads/00497575.pdf](https://consult.scotland.gov.uk/community-land-team/abandoned-land/user_uploads/00497575.pdf)

**d) Asset Transfer under the Community Empowerment (Scotland) Act 2015: Consultation on Draft Regulations. – Scottish Government. Closing date: 20 June 2016**

Community ownership or control of land and buildings can make a major contribution to empowering communities. It helps to provide stability and a sustainable base from which a community organisation can develop its activities, and can create a stronger sense of community identity, cohesion and involvement.

Part 5 of the Community Empowerment (Scotland) Act 2015 provides a right for community bodies to request the transfer of land and buildings belonging to public authorities. This paper seeks views on draft regulations for making and responding to requests, for review or appeal of decisions, and on registers of land. It also provides an indication of guidance and best practice to help relevant authorities develop or update their procedures. The Scottish Government are now seeking wider views on the proposed procedures from relevant authorities, who will be required to implement them, and community bodies who may wish to use them. [Click here to download a copy of the consultation paper.](#)

**FORTHCOMING CONSULTATIONS**

No Forthcoming Consultation

## **Appendix B. Planning Working Party Report 10.4.16**

**Members** - Willie McCartney, Robin Richmond, Nick Walker.

### **New applications**

**16/C/1/0014 TELECOM CABINET, OPPOSITE BLADNOCH INN, BLADNOCH.** This should allow superfast broadband to the Bladnoch area. **RECOMMEND** – no submission (utility notification only, not for consultation).

**16/P/1/0039 & 16/P/1/0040 EXTENSION AT REAR OF 15 SOUTH MAIN STREET, WIGTOWN.** Full planning and listed building consent. **RECOMMEND** – no submission.

**16/P/1/0056 ERECTION OF PORCH, BEECHWOOD, LIGHTLANDS TERRACE, WIGTOWN.** **RECOMMEND** – no submission.

**16/P/1/0066 EXTENSION AT FRONT OF 38 SEAVIEW, WIGTOWN.** **RECOMMEND** – no submission.

### **Update on applications**

**16/P/1/0023 ERECTION OF DWELLINGHOUSE (planning in principle), SUNNYBRAE, HIGH STREET, WIGTOWN.** **UPDATE:** nil.

**16/A/1/0002 & 16/P/1/0019 REPAINTING AND ERECTION OF NON-ILLUMINATED SIGNAGE, PLOUGHMAN HOTEL, WIGTOWN.** **UPDATE:** Approved.

**16/P/1/0028 ERECTION OF DWELLINGHOUSE, ETC., CRAIGMOUNT, HIGH STREET, WIGTOWN.** **UPDATE:** comments submitted per March CC meeting; Planning Officers note that this is a new application in effect renewing the permission previously granted on appeal; the applicant was too late to seek an ordinary renewal. Roads Dept has requested conditions on access, drainage, etc.

### **Renewable energy proposals**

**15/P/1/0031 SHENNANTON WINDFARM, NEWTON STEWART.** 12 turbines, 100m to blade tip, ancillary structures, etc. **UPDATE:** Pending Appeal.

**15/P/2/0053 CALIFORNIA WINDFARM, CARSLUTH.** 7 turbines, 110m to blade tip, structures, etc. **UPDATE:** Pending Appeal. Reporter site and area visit 6.4.2016.

**13/P/1/0366 AUCHLEAND WINDFARM, WIGTOWN.** 7 turbines, 130 m to blade tip, ancillary structures, etc. **UPDATE:** Nil.

### **ACTION**

Note report. Agree recommendations.

**Nick Walker** (*updated version*) **10.4.2016**