

Dunkeld & Birnam Community Council – Minutes – 13th June 2022

Attendance

Lachlan MacEwan, Stewart Pritchard, Laura Graham, Alan Wylie, Calum Martin, Chris Claydon, Paul Cargill, (Perthshire Advertiser), Nathaniel Goddard, (Heartland FM).

Andrew Bruce-Wootton, Mark Richardson, Eilidh Henderson, Claire Spencer-Churchill, David Wylie – all representing Atholl Estates.

Cllr Grant Laing, Cllr Claire McLaren

Apologies - Stewart Pritchard

Members of the public attending - 7

Minutes of the last meeting - Approved (Proposed by Alan, seconded by Laura)

Declaration of interest – No declarations made.

Treasurer's report & micro grants update

Operational account bank balance is £514.68

2 transactions in last month

- Zoom account £14.39 (paid)

- Fees for management of the D&B News website (DBCC notices and documents uploading) £240.00.

Taking account of anticipated expenditure we have £202.73.

Grants account balance is £11,326.10 - including funds we hold for others.

We have received the SSE microgrant top-up for 2022 and have £4,500 available for (up to £500) awards (to end December).

We have £5,240 available for SSE Covid Recovery awards (up to £1,000).

AOB

Issued raised about the clear up after the Jubilee parade, litter left overnight at Stanley Park, a member of the public had to clear up the next day.

National Trust for Scotland (NTS) tenant eviction

Chris outlined the situation with her lease and NTS. Given notice to quit, being made homeless after 18 years, currently on a Short-Assured Tenancy as are most of the long-term tenants. Described the way the NTS are treating tenants and asked for the Community Council to write to NTS Trustees. Highlighted the long running situation with repairs. NTS now doing a programme of works. When last at a DBCC meeting NTS gave assurance that until all the houses were brought up to standard there would be no rent increases. When NTS visited Chris with their surveyor they offered reassurance, stating a couple of cracks could be monitored. A few months later they sent round a structural engineer who was there for about 20 minutes. Afterwards Chris received a notice to quit, they are not willing to offer alternative accommodation and have said they are not willing to allow them to move back into the house they have been in for 18 years. NTS are not willing to share the structural report and it's difficult to accept they are making people homeless in the current climate. Especially, as it's not known if additional work will be required. They have stated they will make the best business decision for the house. This could either be holiday accommodation or offered for rent at a vastly increased rent. When NTS were asked if they could move back into their home Chris was told they could apply for it and that it wasn't their home.

Upsetting how NTS are treating their tenants in recent years and NTS seem to have forgotten the original purpose of these homes being gifted by Atholl Estates, to be renovated in conjunction with the Community Council for the good of the Community and to breathe life back into the village. Up until 2009 things were going well and the houses were always affordable, and people knew they were for local people/families. In 2009 NTS wrote to tenants intending to make big rent increase. Tenants organised to object to this, but NTS were unmoved and stated they potentially would take action. At end of 2019 tenants as a group wrote to NTS asking them to review rents and to move tenants onto the new Private Rental tenancy, NTS refused and said they were not legally obliged to do this. Left with no security of tenure, Chris doubts this will happen to anyone else but no guarantees. We're set to lose our home, business, and community if this goes ahead.

There is strong community feeling about the actions of the NTS.

Councillor Claire – Said this is very distressing to hear, asked what reason was given for eviction – Chris is on a Short-Assured tenancy, so a landlord only needs to serve notice to quit. Reasons only need to be given with the new type of Private Landlord tenancy. But Chris did say NTS have said they need the property empty for further structural investigations. Surprised such behaviour still exists.

Lachlan replied that NTS actions have caused a lot of bad feeling in the village

A member of the public asked – NTS actions towards Chris take no account of her contribution to the community. Have tenants in similar position been asked to quit or been offered alternative accommodation? Yes, they have been offered alternative accommodation previously, but are now probably going to work round other tenants. In Chris's situation NTS are adamant they need a different approach. And have said they are not legally obliged to offer alternative accommodation or roll over the lease.

A member of the public asked if Chris thought being a focal point for tenants raising concerns with NTS is at the root of this. Chris replied yes, she firmly believes that is the case.

Alan asked - How many properties does NTS have?

Lachlan stated that he spoke to Cara at NTS and informed her the community wanted him write to NTS. Cara asked to have a meeting to discuss. At the meeting NTS said not intending to offer any properties for holiday let or take them out of circulation as housing. Lachlan pointed out that the current actions raise a lot of fear for remaining tenants. They have 20 properties in Dunkeld, 4 commercial properties and none in Birnam. We don't know if all 20-need renovating. Subsequently NTS were invited to this meeting and agreed to attend, but when they saw this issue was on the agenda, they changed their mind and stated they could not discuss individual cases. The community are not only very concerned about Chris and Scott's situation but also for the other tenants in the other properties, particularly those on the older style lease.

Alan asked - in 2018/19 when NTS were approached about rent increases did Chris lead this? Yes, she did. Chris said her and Scott are not afraid to put their heads above the parapet. Likely it's considered they have ruffled a few feathers; both have been vocal, and both have raised issues, this makes it easier for NTS to distance themselves. Rents used to be affordable, but one similar NTS house a few doors down is £900 per month. Chris' is £525 per month.

Alan – asked if there was a legal agreement when Atholl gifted the properties, was there any protections or safeguards written into it?

Chris replied they were gifted to the County Council/NTS, and they then renovated all the properties. NTS had to seek agreement from the County Council as to tenants and rents. Agreement with National Trust Housing Association to run for 20 years. Everything was ok until 2009 when they started increasing the rents.

Maybe Atholl Estates could give a view? Atholl replied they would want to enforce any conditions attached to the gift. But agreement is likely only between the original parties. If ownership has changed then can't enforce. Atholl thinks there was a "use" clause rather than a terminate a tenancy clause. PR may be the best way to go to draw attention to the situation, surprised that a tenancy is being terminated. Usually, landlords don't like doing that unless there is a very good reason for doing it.

Grant Laing - agree with Andrew, take the moral high ground, and use PR if NTS continue down this path. Chris may know that 7 years ago a couple in a similar situation with NTS. Contacted the CEO and said how bad this would look if they

acted in such an uncharitable way. Unwillingness to come tonight shows the strength of their case. As a Community Council and a community, we should question their reasons and are right to ask NTS to attend. NTS may also have properties in Inver.

Councillor Claire – One family affected now but there are bigger issues behind it. Asked if Chris had contacted Citizens Advice Bureau for legal advice and she supports the idea of using publicity. Have NTS a Landlord Registration number, are they registered with PKC as a landlord?

Chris replied they have been in touch with CAB and Shelter. Given type of lease not much they can do but given situation with Covid all grounds for eviction are discretionary, there is a possibility they can challenge the eviction, but advice so far is this is unlikely to be successful.

A member of the public asked if Chris had thought about contacting the national press. That is something they will consider doing and they have been in touch with John Swinney who agreed to contact NTS. Must do anything they can to save their home.

Lachlan – if the meeting agrees, the Community Council will write to NTS Trustees. Bit disheartened given events since meeting with NTS last Thursday so need assurances in writing and need to ask the questions raised tonight.

Grant Laing – if Chris is happy to discuss her situation here tonight why can't NTS take a similar approach if Chris agrees.

Lachlan said he had phoned NTS following the meeting last Thursday and had been given an apology for the comments made at the meeting.

A member of the public stated you must write to the higher levels within an organisation to get anything done.

Chris thanked the meeting for listening and for the clear support she and Scott had received.

Atholl Estates - Haughend update

Mark Richardson introduced this section and recapped progress with Haughend so far and reaffirmed Atholl Estates commitment to the area. And made an open invitation to work with Atholl Estates to respond to some of the challenges the area faces around affordable secure homes, traffic/transport, land for commercial use and employment. Don't want to develop Haughend in isolation and are happy to work with DBCC and a range of organisations to achieve a solution collaboratively.

Eilidh Henderson from Page & Park Architects then gave a presentation and update on plans for Haughend. Based on feedback at the meeting plans for consultation will be refined over the summer whether this is through focus groups or a working party and Atholl will continue to engage with the PH8 Housing Group and any other interested groups.

After the presentation the following comments were made:

Grant Laing – what is meant by affordable/ ok for some not for others. How to incorporate social housing? Concerned that the presentation has all the good ideas but poverty and in work poverty are real issues locally. How does your vision accord with the real local problems in the area when houses are selling for far over the asking price within 4 hours of going on the market?

Eilidh Henderson - that's why we want to work with you. Use local knowledge to inform the plan. Look at different approaches rather than working with %ages. There are a lot of challenges but there may be a variety of routes to providing answers to the area's problems.

Mark Richardson – we haven't got all the answers which is why we are here tonight; we're not looking at a straightforward housing development approach where there is a standard percentage for affordable housing, we want a long-term sustainable plan. In practice, this may mean land available for custom and self-build houses where the land is priced appropriately or looking at a co – housing approach. This could be shared equity or there could be secure long term rental. We want housing aimed at local people across as broad a range of tenures as possible, happy to test some ideas. Talk through what this looks like. Need to make sure what we do sits within a wider transport strategy. Ensure the development can be supported by a meaningful public transport strategy, work with transport providers to ensure the development is connected with the transport network.

A member of the public stated – Appreciate what Atholl has done over the years. The Bridge in Dunkeld is the problem, causes so many bottle necks. It is not appropriate to use Haughend, better to use the carrot field below Youngs Garage. It has never flooded and has easier transport links and would revitalise Birnam. Development needs to be kept away from Dunkeld.

A member of the public stated – Thanks for the presentation, lots of nice artwork. One of the nice things about living in Dunkeld is the open spaces and great environment. Don't think Dunkeld can cope with another village on its doorstep, too many constraints which will be too difficult to mitigate and wholly inappropriate to create another village so close to Dunkeld. Too much pressure on the bridge and other infrastructure.

Councillor Claire – the main issue in Dunkeld is availability of housing, urged Atholl to quickly move through the gears and quickly present a proposal to PKC as the housing need is now and a solution needs to be found within 5 years.

A member of the public stated – I'm particularly interested in how this moves forward in terms of consultation, have heard the comments of others on the constraints and issues of the development. It's of a similar magnitude to the A9 work and there was a huge amount of consultation involved with that so there needs to be far wider consultation for this development and bring the concept to the wider community as soon as you can. There are lot of people unaware of this and they need to be made aware as soon as possible.

Lachlan responded that he was involved in the Co-Creative work with the A9. The amount of hard work done to ensure the community was engaged was huge. Community consultation is key and coming along to speak to the Community Council is good but there is a large amount of people who still need to be engaged and involved. We will circulate your presentation. Need to ensure you have the conversations and make sure the potential for everyone to get involved is there and across a broad range of routes/sources. Note what everyone has said about access and solutions for this will be of key importance.

Mark Richardson – points are well made about consultation, keen to get out and engage with the whole community, hear the negatives as well as the positives. No intention to develop entire 40 acres for housing. Will not be a new village and keen to stress that. Need to take account of reality, including challenges of infrastructure, landscape, drainage, public transport, and access. Keen to align future uses with these challenges. Involved in the A9 duelling and absolutely understand the concern that change can bring, happy to reassure it's not about doubling the size of Dunkeld or building a new village.

A member of the public stated - we understand you want to seek to change the local plan for the full 40 acres - once that happens then you are free to use it as you want. There are 40 acres which will be rezoned.

Mark Richardson replied – the work will be informed by the consultation with the community and large amounts will be not housing and may be zoned for amenity, landscaping, and open space. 40 acres for housing is not the right thing to do.

Alan - Appreciated the presentation, it was good, as far as the Community Council is concerned all the right things were said. Genuinely believe we would support any idea which will have the support of the community and would be of benefit to the community. But one thing which needs to be addressed is access. There was mention of the A9 and that consultation has been going on for 6 years or more years and we are no further forward. Our existing landscape and access issues need to be addressed. Whether any development happens or not there are problems which need to be addressed sooner rather than later. Can't aggravate the issues we already have. Happy to play our part with consultation but would be looking for Atholl Estate to come up with a comprehensive plan for how consultation and engagement is going to happen. And it needs to happen very soon.

A member of the community - Community Council represents Dunkeld and Birnam, at the moment one end of the twin villages is depressed, and the other village overcrowded. Must represent both villages in the area.

Lachlan accepts the point and states the Community Councillors are aware there is an uphill struggle to make sure both areas are fully represented. But Lachlan disagrees with the earlier suggestion that the station is disconnected from the village, that happened when the A9 was built – but assurances given from the Council and from Transport Scotland was they would make sure to keep the access down under the road. There is no signage, it's poor, all these things need addressed for the whole village. Hopefully when the new A9 is completed the station will be reconnected to Birnam. It was always the focal point. Our concern is that we are only a small part,

very important you come to us with an agreed strategy for engagement which we can comment on.

Mark Richardson - keen to make progress and keen to take the Community Council guidance on this. Keen to get out and get a sense of lay of the land. Maybe expand on last slide on how to start the conversation through multiple routes, maybe form a working group look at how we get engagement. We can start, in a meaningful way get information and facts out there and get back some good ideas.

Lachlan agrees and states that any misinformation isn't good and needs to be tackled.

Councillor Claire – Atholl Estates and partners could take the Duchess Anne for a weekend for a community engagement session and get the ball rolling, get an exchange of ideas, speed is of the essence. Particularly given the timescales involved in getting any proposal through Council processes.

A member of the public responded - there has to be more to community engagement than simply holding an event the DA which not all members of the community will be able to get to. It needs to be more creative about how you get this information out there, there has been a lot of background work done. This needs to be brought together and shared, not just at a meeting where folk may not show up, but in other ways. People should be consulted in a range of ways.

Councillor Claire – no intention to be demeaning was just making a suggestion for one type of event. Please don't take it as such.

Mark Richardson – what we could do, there was a really interesting blend of public presentations. It's great if people can see and meet and hear ideas and see them on plan. In the past we have supported that with a project website which has information there which people can download and its accessible so we can cover as many different outlets as possible over a sustained period of time to give people a chance to comment and feedback.

Lachlan – during the A9 co-creative we had a lot of community engagement where people could come along and give feedback and the response from the community was tremendous. The concern we've got is all of that is still sitting and not a lot of things have happened from it. So, to encourage folk to come along again will be very difficult but that what we are trying to do. I take on board what Councillor Claire said about the Duchess Anne, what you're talking about on social media and nice presentation and it's very difficult as you need to try and blend it all and use everything that's possible for the community to tick all the boxes, a lot of people miss out Radio Heartland and the Bridge. It's quite important to pick all the avenues available.

Grant Laing – been involved in too many empty consultation exercises. Reiterates what Lachlan said and the community have to believe, and it will be up to the team to convince people they are being taken seriously and listened to. They often are information gathering and box ticking exercises rather than listening to what the community wants. Would like to see something positive come out of the consultation for the community to get behind and move forward if it's what they want. We don't

know yet, it's like a clothes horse with no clothes on it. We have to see what comes out at the end. Would plead with the people taking this forward to take on board what people say and listen to them.

Lachlan thanked Atholl Estates for their informative presentation and for coming along tonight, our door is always open.

Community Action Plan & Development Trust update

Jan Silburn - it's at the stage now where there is consultation going on within PH8, around the shape of the constitution. It's moving, but it's quite tricky getting all the correct clauses in and some issues to solve around membership and size, to get it right. Choosing the right clauses will be key so we have a representative membership to reflect the whole community and we don't it to be too small or too big. Must be seen to be representative.

A couple of new additional points - A craft community has got together and is working with PKC to acquire some land behind St Ninians Court to the left of the North Car Park. Two popular crafters are being evicted from their current premises at the end of the year. If an asset transfer can happen for this piece of land, they can possibly develop the shed and create space for themselves and other crafters who participate in the current shop. The community feels quite strongly that this couple should be helped, and PKC are also supportive, discussions are ongoing. Hopefully this will come to fruition once the Development Trust is formed as a SCIO and established. There will be meeting of the Housing Group tomorrow where the results of the Housing Survey will be presented.

A question was raised about whether Atholl Estates have had first sight of the results of the housing survey, which they shouldn't have. It was clarified that neither the estate or their advisors received an early copy (nor requested) and the reference in their presentation to the survey was solely to the previous public drafts of the questions and updates.

A member of the public – can you attend the housing meeting by Zoom? The answer is yes, the link for the meeting will be circulated.

Heartland Radio happy to help publicise any local meetings.

Lachlan – as well as the Housing Group, the Environmental group has also met so things are slowly coming together and will gather pace once the Development Trust is in place.

Roads, traffic & Parking update

Laura – got a few messages on DBCC Facebook page about the new parking restrictions at Tay Terrace car Park, Council or someone had moved the cones, but they are back now. Can we have a permanent solution rather than relying on signs

and cones, which are being ignored. Has been referred to PKC and taken up with Hunter Hope.

Trying to speak to PKC about the electric charging points, there is constantly a queue at the North Car Park for charging. The delay in commissioning the new ones is a legal issue within PKC partly caused by illness rather than any issues with SSE. Should be movement on this within 6 weeks. Grant will find out if the new ones are fast charging points.

Alan – on return from holiday noticed along the A822 there are 7/8 substantial white painted stones, does anyone know what they all about.

Lachlann - they are milestones, the milestones were all recently painted white and have also installed some painted posts as some milestones were missing.

Grant – there seems to have been a campaign about this and has noticed some have been excavated as they had sunk into the verges.

Councillor Claire - noticed that all the drains in the gullies in Tay Terrace car park are all choked. To be referred to PKC.

Pam Green and Lachlann had a meeting with John Swinney about the junctions at Birnam and Dunkeld. Any work on improvements at the junctions has been on hold due to A9 work. But it's now time to try and make improvements and not wait any longer. The PH8 Roads Group will also pursue this.

Planning

No new applications to discuss. Meeting confirmed it wouldn't add anything to its previous letter submitted to PKC in respect of the application in respect of a caravan site a Kindallachan. The application was originally refused and has been appealed.

Police Update

No update other than the regular Commanders Bulletin.

Lachlann – confirmed that the meeting was happy that he write a letter to the Trustees at NTS. He will circulate a draft around the Community Council members comment.

Date of next meeting – 8th August 2022