

Letham & District Community Council

Minutes of meeting held on: 16th May 2024 at 7.30pm in Letham Feuars Hall

Present: Wendy Cameron, Karen Smith, Gail Smith, Karen Kose, Tracy Andrews, Debbie Dallas, Sergeant Gary Miller (Police) – also Mrs Phyllis Jolly and Mario Rizza

Via Teams: Cllr Nicoll, Cllr Cowdy – attempted connection but were told the 'meeting hadn't started' despite it running in the Feuars Hall

Apologies Isobel Sword, David Lumgair and Sandra Macrae,

Absent Mhairi Dickson, Cllr Fairweather and Cllr Shepherd,

Amendments to previous minutes:

- None

Approval of Previous Minutes: proposed by: Karen K

seconded: Gail

Matters Arising:

- **Communication from Mrs Jolly** – Mrs Jolly joined the meeting to discuss concerns previously raised at the meeting in February 2023 regarding the path gifted by Gordon Mitchell to the Community Council and with shared interests to her property. Mrs Jolly's main concern is the retaining wall for the river near to the path. A succession of 4 floods has undermined the structure. She has been in contact with Angus Council regarding repairs that are needed – because the wall is within 10m of the bridge it is the Council's responsibility to maintain/repair and Mrs Jolly is expecting plans to be drawn up to show the proposed works. The concerns have previously been shared with the Councillors at a site meeting at the bridge. She said that it is favourable that the council will action some repairs as they have a duty following flooding. Mrs Jolly applied for a FIO access to all the bridge reports back to 2008 and will be following these up with the Angus Council Chief Executive. Mrs Jolly handed round an enlargement of the area in question showing ownership of the different parts. Wendy questioned the plan and whether there is 'right of servitude' to the path or actual ownership. Mrs Jolly confirmed that when Gordon Mitchell died he left the path to the Community Council but the 'plantation' and area adjacent to the path to his son, Steven, who then sold this to Mrs Jolly. Wendy reported that the Community Council were not aware of this change in ownership. Mario questioned why the path was left to the Community Council and not the Feuars but no one was able to answer this. Tracey asked for clarification that the path can be used by everyone and this

was confirmed, there is a pedestrian right of access to the path across Mrs Jolly's land. Mrs Jolly shared her upset at returning home from holiday to find the path had been mowed and a tree cut down. She is concerned that a ride on mower could further damage the failing retaining wall if the paths group continue to use it, and right of access is for pedestrians and not vehicles. She knows it was cut as she has CCTV/ Ring doorbell footage. Karen S questioned if signs need to be up for CCTV in use and Sergeant Miller clarified that for CCTV there needs to be signs but for a doorbell camera there doesn't. Mrs Jolly will allow the ride on mower access if a letter from the community council is submitted prior to the cutting, she will reply granting annual access. Mario said that the problem with the river currently is that the banks don't get a chance to become firm and that the corners of the river are too sharp. Mrs Jolly suggested that Angus Council have approximately £40M to deal with the aftermath of Storm Babet. Karen S questioned whether tree would help or hinder the river banks. Mrs Jolly suggested that the tree roots are now protecting the banks so have to remain. Mario agreed with the concern of tree on The Greens and feels that those planted by the Feuars have added to the problem and will get worse over time. Mrs Jolly shared that her most pressing concern is the safety of people getting too near to a weakened bank / retaining wall. Mrs Jolly offered to cut the grass on the path in question.

Isobel was unable to attend the meeting but shared some information regarding the maintenance of the path and the removal of the tree: We had previously discussed a self-seed sapling which was growing in the centre of our path and agreed that it need to be removed as it would cause an obstruction. Mrs Jolly put a tree guard round it and erected white posts and string round the tree and along a section of the path, saying that because the supporting wall had been damaged by high water it was dangerous. Last week I received a complaint from a member of the public (he happens to have knowledge and experience regarding this particular path as he maintained it for many years). His complaint was that the tree was causing an obstruction and needed to be removed and the placing of the fencing was deliberately positioned to give the appearance that the path was closed. A few days later the opportunity arose for the tree to be removed and the fencing re positioned to a suitable placing near the edge. It is the landowner's duty to ensure that a right of way is not obstructed and that is the Community Council. This weekend some of the Paths Volunteers and some members of the Feuars' Committee were on the Greens planting some trees. One of the Members of the Feuars Committee noticed that a sapling from the Greens had been washed down to the stone bridge, he went into the Burn and retrieved it, re planting it in a suitable spot on the Greens. (Again land owner duty to ensure a fallen tree not causing an obstruction) This one was laying partially on Mrs Jolly's side and partially on the Feuars' side and apparently she has CCTV of this.

Action: Mrs Jolly to contact the Chief Executive to discuss repairs to the retaining wall and flood management at the bridge

Action: Councillors to investigate the progress regarding repairs to 10m either side of the bridge

Action: Wendy to clarify with the paths group the paths they currently maintain and discuss whether they wish Mrs Jolly to maintain the path until such time as the retaining wall is repaired and to reply to Mrs Jolly by email the outcome

Action: Wendy to clarify with Thornton's Solicitors the current ownership / deeds for the path

- **Defibrillators** – no changes. Need to do further fundraising to get a defibrillator to Craiche. Mario suggested that The Letham Lottery could help with the funding of a defibrillator. Mario shared that the Lottery is designed to support anything the village needs. Karen S asked if they have stopped repairing potholes. Mario shared that the group had been told that if they repair a road they are then liable for ongoing upkeep. Mrs Jolly shared that the legislation indicates that despite the council tarring the roads previously they are not responsible for maintaining them. Mario shared his frustration that the Lottery group are trying to do something positive for the village but some residents are complaining.
- **Cosgrove Award** – Nomination's still open until the next meeting. Will repeat information about nominations on FaceBook.

Action: Isobel / Wendy to put information on FaceBook

- **Paths Group** – Karen S shared that they now have prices for the gravel and drainage. Wendy has not yet seen the letter they want her to send to Angus Council.

Action: Wendy to remind Alison Towns about the letter for the Council

- **Police Report** – Sergeant Miller is the officer for Arbroath area, covering Letham also, and will come along to meetings when available, hoping for once every 3 months. Karen S suggested that the Police officer could connect via Teams to the meeting. The report shows an increase in crimes by 5 but these were one person and not from the Angus area. Without this individual (who is now charged and released on bail) the numbers stay consistent. Police are aware that Letham has issues with speeding and parking but there are very few officers available to deal with this. He suggested that residents report any concerns via email to the community officers. He also reminded the

committee and suggested sharing information regarding the need to keep car and home doors locked, even when home. The 'Cuppa with a Cop' is also coming up in the Village Hall.

Correspondence:

- Bi-Annual meeting of Community Council's is on Tuesday 28th May at 6.30pm in Angus House. Wendy will attend – all are welcome

Action: Anyone who wants to join Wendy at the meeting to let her know by Friday 24th May so she can submit our numbers to the organisers

Treasurer Report:

Footpath Account: £3423.39

Defibrillator Account: £2215.68 (includes £2.34 interest)

Community Council Account: £255.16

- Karen S shared that the accounts for 2023/2024 have been audited and now ready to be submitted to the Council.

AOCB:

- None

Close: Wendy thanked everyone for attending and closed the meeting at 8.45pm