

Upper Liddesdale & Hermitage Community Council

Ordinary Meeting 14th March 2024

Draft Minutes

Meeting was held at Hermitage Hall.

Those attending:

Community Councillors - Geoffrey Kolbe (GK) Chairman, Ian Hunter (IH) Secretary, Martin Steed (MS) Treasurer

From EnergieKontor, Duncan Taylor, Eliza Tirrell.

Members of the public - 10

Meeting started at 19:00hrs

1. Presentation: Update on Windy Edge wind farm by Duncan Taylor of EnergieKontor

Duncan Taylor explained that "Windy Edge 2" is a replacement wind farm design to ensure it is viable in the current subsidy-free economic climate. The consented Windy Edge wind farm is "a non starter for building now". The design will be 11/12 turbines of tip-height about 200m with an installed capacity of about 70/80 MW. The precise specification is yet to be determined and subject to more detailed A map was shown in which the turbines were shifted to the North-West in comparison to the turbine positions of the consented layout. Duncan Taylor noted that they were aware of the sensitivity of the Hermitage Castle landscape and showed a wireline view from the road approaching Hermitage Castle. This showed that the blade tips would be visible above the hill top sky line. Also shown was the blade tips from the proposed Teviot wind farm.

Duncan Taylor explained that they are completing their Environmental Impact Assessment and are now seeking public consultations before putting in their application. They would like to have a public exhibition in Hermitage Hall in the summer and another later in the autumn. The aim is to put in an application at the end of 2024.

Various questions were asked. The expected length of the blades is about 75m, compared the 64m blades currently being brought through Hawick for the Pines Burn wind farm. The route for transporting the blades (and other abnormal loads) had not been decided. They may use the existing Pines Burn route and were aware that the longer blades could cause more problems than they currently experience with the Pines Burn deliveries. Another route being explored was through the Wauchope West forest, which is proposed by EDF for the Liddesdale wind farm. A connection to the grid has not been finalised. There is too much power to connect to Hawick, so the possibility would be to put in a transmission line to the West. On the Eskdalemuir Noise Budget, Duncan Taylor thought the budget allocated to the consented scheme would be transferable to the new scheme, as it was "the same developer and the same project" as the consented scheme. On the Community Benefit, Duncan Taylor confirmed that EnergieKontor were offering the "full fat" £5000 per MW installed capacity. Asked if people who were off-grid could be connected to the wind farm, Duncan Taylor said he did not know of any scheme where this was done - except in Skye - and it was not generally possible technically because of the voltage difference between the generated voltage and the domestic consumer voltage.

It was noted that there had been a lot of business disruption due to the abnormal loads through Hawick for Pines Burn wind farm and Duncan Taylor was asked about business compensation. Duncan Taylor was generally not agreeable to business compensation, though he did state that he did not want businesses to

suffer due to the construction of the wind farm. GK noted that EDF had agreed to business compensation in principle and invited Duncan Taylor to do the same. He was reminded that Morrisons had lost tens of thousands of pounds due to the interruptions and he said that if a well made case was put to them for compensation then they would, of course, consider it.

GK noted that the boundaries of the Windy Edge 2 site and the Teviot wind farm site were coterminous and the likelihood was that the new turbine layout in the revised Teviot submission would be close to the turbines in the Windy Edge submission, so created what should be interpreted as one development. Duncan Taylor disagreed and thought they would still be two distinct schemes.

2. Apologies for absence

Ward Councillors Watson McAteer and Annette Smart, Community Councillor Rosie Webster.

GK read out a letter from Councillor McAteer, explaining that the Council budget was the most constrained for 30 years and they had had to draw down reserves to meet commitments. He thought there would be a 10% rise in Council Tax next year. He said that pot-holes were impacting everyone and there is a schedule of repairs, but it is going slowly.

3. Approval of the Minutes of the Ordinary Meeting of 11th January 2024

There being no other comments, MS proposed that the Minutes should be accepted as an accurate record of the meeting. IH seconded the motion. The motion was carried.

4. Matters arising

Suggestions for placement of info boards: It was noted that Penny Scott was waiting for suggestions.

Ninestates Rig Woodland creation update: GK read out a letter from Woodland Consultant Stephen Adlard in which he explained that Ninestanes Rig had taken a bit of a back seat while Leahaugh was being pushed forward. A major change was the designation of the Twae Rings settlement as a National Monument and Historic Environment Scotland was keen that the design be revised to improve the setting of Twae Rings. Stephen Adlard proposed an onsite meeting towards the end of March and was looking for date suggestions.

Notice boards: GK thanked Neil Moss for his help in putting up the new Community Council notice boards.

5. Reports of meetings attended

Pines Burn wind farm at Southdean 6th February: GK reported that this meeting had been called to address the problems experienced due to the delivery of turbine blades to Pines Burn wind farm, and to address disagreements over the Community Benefit agreement. It was chaired by Rachael Hamilton MSP. It was attended by the Chairs or representatives of Community Councils Southdean, Hobkirk, Denholm, Hawick, Borthwick and Teviotdale and Newcastleton. Teams from Scottish Borders Council and EnergieKontor were also present.

It was generally agreed that the greatly improved communications about blade movements, in particular the tracker on the blade so that its position could be tracked in real time, had mitigated many of the problems.

Business compensation occupied much of the discussion. It was noted that closure of routes had impacted businesses in Bonchester Bridge, one of whom had now closed. Morrisons in Hawick had lost tens of thousands of pounds. Barbara Elborn of Newcastleton pressed the need for business compensation. Lambert Kleinjans (LK) of EnergieKontor said that they were a developer like other developers, like house developers, who did not pay business compensation. GK reminded LK that unlike other developers, National Planning Framework 4 Policy 11c required wind farm developers to maximise socio-economic development and so there was a requirement to mitigate business losses. Rachael Hamilton also thought

that business compensation was an important principle and would take the matter up with Scottish Government Ministers.

On Community Benefit, LK agreed to a “best practice” standard of expressing Community Benefit in terms of £/MW installed capacity rather than by the number of turbines. It was agreed that the inflation index linking should be the same as that for the agreement with Borders College and with direct electricity grants to selected nearby properties. It was agreed that the agreement for Community Benefit for phase II of Pines Burn will be the same as for phase I.

Planning Stakeholder Meeting: GK reported on a meeting about planning put on by John Hayward of Scottish Borders Planning department to inform Community Councillors about the planning process. There were a number of points to take away.

- Planning consents expire after 3 years, unless otherwise specified
- Local Development Plans have been valid for a period of 5 years, but this is changing to be valid for ten years. The format of the LDP is changing too. Instead of starting with a Main Issues Report consultation phase, it will start with an “Evidence gathering” phase, which will include the Place Plans from Community Councils.
- Place Plans are planning documents and should refer to planning policy, local or national. Place Plans should follow a prescribed format and should be registered with Scottish Borders Council. Community Plans are different and have a wider remit.
- For a planning application to be placed before the Planning Committee, there must be 5 or more objections from five different households within 21 days of a valid application being published. Community Councils, Residents associations and petitions count as one objection.
- The IDOX planning website lists all the planning applications. There is an option where all the planning applications in the Scottish Borders, or in a particular Community Council area in the Scottish Borders, which have been submitted within the last week, or the last month, can be listed.

6. Place Plan update

As Rosie Webster was not present at the meeting, no update was given

7. National Park update

Jane Bower informed the meeting that the Minister for Green Skills, Circular Economy and Biodiversity, who is heading the work to designate a new National Park in Scotland in the current session, is visiting all the areas for which submissions had been received and is visiting this area on 18th March. The submission by the Campaign for nomination of a Scottish Borders National Park is now on the Campaign’s website www.scottishbordersnationalpark.com and can be viewed or downloaded from there.

8. Myerdykes forestry plan

GK noted that Tilhill had published a replanting plan for Myerdykes forest and this plan had been circulated to the residents by email. GK asked for comments on the plan? There were none

9 Neighbourhood support fund review (Pot ‘A’ and Pot ‘B’)

A questionnaire regarding the future administration of these community funds was filled in by the Community Council and will be returned to the Scottish Borders Council

10. Consideration of planning Application 24/00058/FUL Windy Edge wind farm “Variation of condition 8 of planning permission 18/01456/FUL to increase the operational period from 25 to 30 years from the date of final commissioning.”

GK noted that the original consent was dated 11th March 2021 and since work had not yet begun, the consent had expired. GK referred to a draft response on the website and asked the Community

Council if we should object to the proposal on the basis of this draft response? It was agreed that the Community Council should object to this Application.

11. Consideration of planning Application 23/01253/FUL “Variation of condition 11 of planning permission 18/01456/FUL to reduce the period of turbine inactivity from 12 months to 11 months”

GK noted that the original consent was dated 11th March 2021 and since work had not yet begun, the consent had expired. GK noted that we had responded previously to this application and now the Applicants had provided a rationale for this application. GK referred to a draft response to this rationale and asked the Community Council if we should continue our objection based on the basis of this draft response? It was agreed that the Community Council should continue objecting to the Application.

12. Any other business

Gary Cooper reported that he had written to Elizabeth Dalkeith about a Heritage Trail that could be put through the area and particularly through the Ninestanes forest. He had spoken to Scottish Borders Council about establishing the trail as a core path but they said that they had too much on dealing with the windfall from the various recent storms and they were not going to fund any new trails at present. He said the trail would need signs and parking provision. He was looking for funding under the Adopt a Monument scheme.

Gary Cooper also related that Gareth, the stalker who had a Buccleuch Estates licence to stalk on Buccleuch ground, had been up last week and was shooting in the middle of the day.

Ian Graham reported a group of stalkers from Tilhill stalking with lights at night on the railway line. Local residents had been concerned.

It was agreed that more notice should be given to stalking in the area so residents would be aware of this when planning their own movements.

13. Date of next meeting - May 9th