

Upper Liddesdale & Hermitage Community Council

Draft Minutes for the Ordinary Meeting

Monday 15th February 2021

Meeting was held virtually via Zoom. Geoffrey Kolbe was Host for the meeting.

Those attending:

Community Councillors: Geoffrey Kolbe (GK) chairman, Andrew Warburton (AW) vice-chairman, John Scott (JS) treasurer, Lawrence Scott (LS)

Ward Councillors: George Turnbull, David Paterson, Watson McAteer.

Jane Bower: (Campaign for Scottish Borders National Park)

Four other members of the public.

Items:

1. Apologies for Absence.

There were no apologies.

2. Approval of the Minutes of the last meeting on 3rd February 2020

Proposed by AW, seconded by JS, agreed unanimously

3. Matters Arising

JS reported on matters arising from the last meeting:

Home Energy Efficiency Scotland program (HEEPS)

Having decided to proceed with the program, post codes were sent as required, but nothing more was heard. It is assumed that they are in abeyance due to Covid.

Hermitage Hall post box.

Royal Mail's final decision was not to install the public post box at Hermitage Hall. John Lamont was not approached to intervene as this post box is no longer of interest to the residents who might use it.

Power Line pole at Hartsgarth which fell over due to river erosion.

This pole has now been replaced.

The damaged stone bridge at Hartsgarth.

This bridge has now been repaired.

Resilience plan.

JS conveyed thanks to the Resilience Team of GK, AW and Sandra Murray for standing by to help those in need during the Covid crisis. The community rallied round to support itself and, in the event, no resilience help was needed.

The Resilience Plan has been drawn up and, after some delay due to Covid, the Plan has now been received by JS and will be circulated.

Community Trust.

The Development Trust Officer (at Development Trusts Association Scotland) with whom JS was communicating to set up the UL&H Trust has taken an equivalent position with another organisation in England. The priority during Covid has been to support current members. Follow-up is required.

Interpretation boards - no progress to date

Defibrillator for B6357 - £500 ringfenced in the bank account. No progress to date

Local paths plan - AW to take forward

Matters arising from the November 2019 meeting:

The phone box at Steele Road was threatened with closure by BT at that time, but BT backed off after representations were made. Another notice to terminate the service was put in the phone box a month ago. SBC confirmed that BT will take no action until there has been consultation with this CC.

Community Council Review Group

It was not considered reasonable that there were two rural representatives for Teviot & Liddesdale. JS was the lead with Philip Kerr (Chair Southdean CC) as alternate. JS deferred to Philip Kerr who is actively involved with many rural matters and very well respected by SBC Councillors and Officers. By JS stepping down, a position then opened for Cameron Knox (Chair Hawick CC). JS had fully briefed Cameron Knox on the transition. Only two meetings have been held since September 2019 and GK read out an email report from Philip Kerr regarding the latest meeting on 21 January 2021.

Windy Edge wind farm planning application.

GK updated the meeting with the situation on the application 18/01456/FUL by EnergieKontor (EK) to vary the conditions of their planning consent 13/00789/FUL for the wind farm at Windy Edge. The variation of Condition 14 was of particular concern. GK explained the fear expressed by this CC (and others) that if EK were allowed to commence development up to ground level and a radar mitigation scheme was subsequently forthcoming, the considerable infrastructure put in place could remain there forever. SBC planning officer Craig Miller had proposed additions to Conditions 9 and 10 to mitigate this scenario.

The additions to Conditions 9 and 10 would ensure the infrastructure would be removed after 25 years if no turbines were erected, and that a financial bond would be put in place to ensure the funds were there to remove the infrastructure and restore the land. GK had talked to the planning officer Craig Miller, and the Enforcement Team Leader Alan Gueldner, to learn how it would be ensured that the bond would still be fit for purpose after 25 years. He was informed that it would be reviewed every five years and the developer would be required to make up any short fall foreseen in the bond at that time.

However, the meeting was still of the opinion that if the infrastructure was only partly put in up to ground level, this community would actually suffer all the environmental damage of the scheme. There was a significant risk that the scheme would never be completed and then the community would have paid the price of the damage to its environment for nothing. JS proposed that the developer not be allowed to start construction until full planning approval was in place, as per the original Condition 14. AW seconded the motion, which was carried.

Website

GK explained that he had been unable to access and update the UL&H CC website, so he had quickly built a website based on the URL acquired for the CC several years ago. Heather Batch of The Bridge, who are the web managers for the old website, had explained that the website was hosted by NHS Scotland and would probably not remain beyond the end of the year. It was decided that the new URL www.ulhcc.scot would become the main website for the CC.

Watson McAteer noted that there was a £34M CGI budget for SBC and it was possible that some of that could be used for CC websites.

4. Treasurer's Report

In addition to his report to the AGM earlier, JS reported two additional items: a £1000 Covid Resilience fund from SBC and the 2020/21 SBC Community Council support grant and Hall hire reimbursement. The bank balance is £3,534.45. The Resilience fund amount had not yet been required. JS had offered to return the fund to SBC, but was advised to hold onto the fund in case of further Covid support requirements. This fund has been ring fenced.

JS noted that the fiscal year end will be 31 March 2021. If the SBC annual support grant is continued for the next fiscal year, our available unrestricted balance (after ring fencing anticipated expenses for Covid Resilience, a Community Trust, interpretation boards and a defib on B6357) would exceed the maximum permitted balance of £1,080 for ULHCC to be eligible for the annual grant. JS proposed the ring fenced amount for the interpretation boards be increased by £250 (to £750) and the defib by £150 (to £650). This would bring ULHCC below the permitted maximum balance.

LS asked what was reasonable in terms of ring fencing? JS responded that there was no fixed limit, but that the amounts ring fenced were less than the estimated cost of the projects and so could be deemed reasonable.

The increased ring fencing proposal by JS was seconded by AW and agreed unanimously.

JS also noted that ULHCC insurance was due for renewal before 31 March 2021 and he has been in touch with SBC to request confirmation the insurance will be renewed as required.

5. Area Partnership Report

AW reported that there had been a virtual "Teams" meeting on 12th January which had been very constructive. Barbara Elborn (N&D CC) and Philip Kerr (Southdean CC) had outlined a new format by which the AP could be run, so that ideas, concerns and aspirations could be channeled up from the CCs to the Council, rather than the current model of the Council using the AP to explain its plans.

GK asked what the purpose of setting up a SCIO was? Watson McAteer responded that SBC was obliged under the Community Empowerment Act to make available 1% of its funds for community projects. The SCIO was proposed to hold the money allocated to the Teviot & Liddesdale Area Partnership to be allocated according to the wishes of the members of the SCIO. Watson McAteer noted that what was being proposed was a trial format to see if it worked and he would be supporting the idea when it was put before Council. David Paterson said he was against this idea as Councillors on the proposed Area Partnership Committee could be outvoted by members from the Community Councils. However, the Council was responsible for how its money was spent and "hundreds of thousands of pounds" could potentially be wasted. George Turnbull observed that the sums involved would not be that much.

6. Road closures

None imminent to report

7. Meetings attended

The Community Councils Scheme Review Group, which is discussed under item 3.

8. National Park update

Jane Bower (JB), Chair of the Campaign for a Scottish Borders National Park, updated the meeting on the activities and progress of the Campaign.

JB reported that the Campaign now had a bank account, which had needed the intervention of John Lamont MP with Lloyds Bank to obtain as banks were not opening new bank accounts due to the Covid lockdown.

The Campaign had started a number of projects to show how an effective NP could act for the benefit of the community. One project is a “best practice” document in managing visitors to the area, with particular reference to the rubbish they leave behind. JB gave as an example Andrew Douglas of Saughtree, who had many wild campers by the river during the summer after the first Covid lockdown and had a lot of problems with rubbish left by them. This report will be published soon.

Another project is a Masters degree course run by Campaign member George Jaramillo on Digital Design and Innovation. There are four students, all girls, one from China (who lives in China) and one from Canada who is in Galashiels, and two Scottish girls. They are exploring ways in which digital communications could change/enhance the way the NP could interact with visitors/residents/workers etc. It was interesting to discover how they conducted surveys using local Facebook chat sites and accessed “Millennials” who the NP had found difficult as a group to contact.

A third project is the “12 Towers of Rule” which seeks to create visitor interest in the Rule valley by exploring the events of 1545 when an English army came through and devastated the area as part of the “Rough Wooing” by Henry VIII of England. Organisations like Archaeology Scotland and Historic Environment Scotland are involved, setting up workshops to explore the archaeology of the tower remains, and to discover the cultural history of what happened to the people and the area after those traumatic events. The Campaign has an award from South of Scotland Enterprise for £18,840 for a feasibility study to examine the potential for this project to increase visitor numbers to the area.

The Campaign is also involved in making a movie about the 12 Towers for the Reivers Festival at the end of March, which will be a ‘virtual’ festival. Colin Wilson of Phoenix Photography in Hawick is putting together the movie. Watson McAteer commented that he had visited a conference on the Battle of Brielle in the Netherlands (1572 - there was an involvement by the then Duke of Buccleuch) and he learned there that towers are a massive attraction, even if they are in ruins.

9. Consideration of the N&D CC project to promote the benefits of a Borders Rail extension to Carlisle via Newcastleton

JS declared a conflict of interest in this matter and, in accordance with the SBC Community Code of Conduct, withdrew from the meeting at this point.

GK read out a description of the project, which is for an application by Newcastleton and District Community Council to the Area Partnership fund for a grant to make a movie to promote the benefits of a Borders Rail extension through Newcastleton. GK reminded the meeting that the CC had previously agreed to support the extension to the Borders railway to Carlisle, preferably through Newcastleton.

AW pointed out that the agreement to support the Borders rail extension had been taken by a previous Community Council over two years ago, when he and JS were not members, and that the situation had changed in the meantime. Enormous amounts of money had had to be spent as a result of the Covid pandemic and an enormous amount of money would have to be spent yet on improving the infrastructure of our hospitals and restructuring schools to make them larger. AW found it difficult to back the extension when it would affect people in a big way - such as those who had now built their homes on or near the old railway line in good faith, thinking the railway would never be reinstated, and who would lose their homes as a result. Given the reluctance of the Scottish Government to support this project, and the projected £10M that would be spent on the feasibility study for the project, AW thought it better to wait before spending the projected £6,900 on a film to promote the extension of the Waverley line.

LS commented that he was not old enough to remember when the Waverley line still ran through the area, but he does remember people saying that the removal of the Waverley line was the worst thing that had ever happened to the area. He thought that the benefits of the reinstatement of the line would vastly outweigh any negative aspects. As for the people who might lose homes that were on or near the line, LS commented that they knew that the day might come when the line was reinstated and had taken that risk.

GK responded to AW on the matter of decisions by previous Community Councils by noting that Community Councils were not political bodies and did not make policy. Their job was to convey the opinion of the community and so the membership of the community council should not matter and positions taken by an earlier administration should be respected by later administration. GK cited the example of Hawick CC, where one administration who had approved the distribution of the Community Benefit from the Pines Burn Wind Farm had their decision overturned by a succeeding administration, so causing a great “stramash” as this overturned a carefully built consensus on this matter. GK said that he agreed with LS in his view that the positive benefits of the railway extension would vastly outweigh the negative. He said that he thought that this was a ‘no brainer’ and this is why the previous CC which had supported the extension did not feel it necessary to consult wider with the community. As for the money that would be spent on reinstating the railway, GK thought that this would be a good investment to help the area recover from the Covid pandemic and so would be money well spent in this regard.

A vote to support N&D CC in their project was carried by a majority of two to one.

10. AOB

LS asked the Councillors if the 20 MPH limit in the village was a Scottish Government or a Council decision? The answer was that it was a Council decision. LS asked if there were figures for how much the deaths when people drove at 30 MPH had been reduced by people driving at 20 MPH were available? They were not. LS commented that the number of deaths and injuries due to people driving at 30 MPH were probably negligible and he saw no point in the reduction to 20 MPH.

AW commented that driving at 20 MPH he was now able to appreciate the scenery more than before. GK agreed, saying that he was seeing parts of the village he had not seen before, and he was finding time to clean the inside of his car! Watson McAteer commented that there was a 50/50 split in the Council on whether it was a good idea or not.

11. Date of next meeting

It was agreed that the next meeting would be on Monday May 10th, after the lambing season.