

Upper Liddesdale & Hermitage Community Council

Ordinary Meeting 3rd May 2022

Draft Minutes

Meeting was held at Hermitage Hall.

Those attending:

Community Councillors - Geoffrey Kolbe (GK) Chairman, Andrew Warburton (AW) Vice Chairman, John Scott (JS) Treasurer, Lawrence Scott (LS)

Ward Councillors - Watson McAteer

Members of the public - six

Meeting started at 19:00hrs

1. Apologies for absence

Ward Councillor George Turnbull sent his apologies.

2. Approval of the Minutes of the Ordinary Meeting 8th March 2022

JS moved that the minutes be approved as a true and accurate account of the meeting. AW seconded the motion. Motion was carried

3. Matters arising

GK reported that he had contacted Forestry Land Scotland and Tilhill about the deer gralloch, heads and legs being left near public footpaths. Chris Grey of Tilhill said it was policy to leave these far from the footpath, but he would speak to the relevant wildlife manager. The Forestry Land Scotland said that they gralloched the deer far from footpaths but took the deer back to the larders intact. Sandra Murray stated that there had been blood and gralloch very near the footpath to Bloody Bush which her dogs had found on the 21st of April.

4. Treasurer's report (John Scott)

JS reported that he had nothing further to add from the AGM prior to this meeting.

5. Repairs to Billhope Bridge in June 2022

GK reported that he had reported the request to SBC Bridge Maintenance representatives Paul Frankland and Stuart Moir for a controlled bridge for farm vehicle access across Billhope Burn while Billhope Bridge was being repaired. JS reported that he had contacted them about various cycling events in June and had heard back that work was now not expected to start until July at the earliest.

6. Storm Arwen: Lessons to be learned - Review

GK referred to a report on the survey of Resilience Groups done by the SBC Emergency Planning Officer Neil Inglis. GK thought it a detailed report which made interesting and informative reading on the problems that had been experienced, but JS thought that the document failed to provide solutions to these problems. JS noted that there was a meeting of Resilience Groups due to take place at the Bunker, held over during the Pandemic, at which it was hoped that some solutions could be worked out.

Watson McAteer said that what was needed in the Bunker was a real time log of an incident being fed into the Bunker so that other responders and interested parties could gain a wider picture of what was going on in all the various areas. This required good communications.

AW noted that despite the damage to phone line poles and the power cuts, the phone system did continue working provided you had a 'analogue' phone which did not need mains power. But by 2025 the analogue system would be switched off and mitigation by the phone companies was not satisfactory from a resilience point of view. AW reported that at Southdean one person whose fibre connection had been cut off had to wait 20 days for it to be repaired. LS noted that phone boxes would be useful at such times, but JS reported that the phonebox on the B6399 had been disconnected unilaterally despite a policy of not doing so without community consultation.

Sandra Murray also thought that Scottish Power was not giving realistic times when power would be restored. They were too optimistic which was not helpful.

7. Resilience questionnaire - Approval of expenditure on secure boxes for data (Geoffrey Kolbe)

GK reported that our Resilience Group Questionnaire was ready, but we required three lockable document boxes in which to keep the returned data. GK showed an image of steel boxes available for £16 each on Amazon and asked the CC to approve purchasing three of them. JS moved the motion and AW seconded the motion, which was carried.

8. Report on the Area Partnership meeting (Andrew Warburton)

AW reported that most of the meeting was taken up with a review of the Storm Arwen response and the concerns about wind farms.

There was also confusion about Pot A applications for the Community Fund. It had been understood that applications for the Pot A fund were to be assessed locally, according to agreed criteria, and that if approved, such an application would go forward to the Area Partnership for final approval. But while processing an application by Sarah Laing for a School project, the Pot A Panel chaired by AW had been told by Gillian Jardine of the SBC Democratic Department that the correct procedure was to forward the application to them for approval before the Pot A Panel considered it. It was agreed that this was not how the system had been set up. It was in any case 'our money' and it was up to us how it was to be spent - so long as it was within an agreed format. It was agreed that AW would write to Gillian Jardine to clarify this point.

10. Request for comment on planning application 22/00439/FUL 30m mobile phone tower on Gorrenberry Farm

GK recused himself from this item as the land owner of Gorrenberry Farm was his wife! AW agreed to take the chair for this item. GK asked to be allowed to continue taking the minutes and this was agreed.

Jane Bower asked to address the meeting as the land owner. She stated that she had met representatives of the applicant, Clarke Telcom, last September as they were surveying her land for a mobile phone mast for service provider '3'. She had commented to them at the time that their preferred sites were too low. Then in March a planning application appeared on the IDOX planning site. She stated that she was not opposed to mobile phone mast in principle - she hosted the repeater station by which Borderlinks brought fixed wireless broadband into the area - but the mast was too low and would not give useful coverage, it spoilt the view from Gorrenberry House, which is a holiday let.

There was a proposal to install a 3m wide track up to the site going across ground on which there was a Scottish Government forestry contract. She also noted that no environmental surveys had been done, as was required. She understood that as an essential utility provider the applicant could override her concerns, but that she could seek recourse to the Land Court. She noted in particular that the coverage plots given by the applicant for a 30m mast at the given site location were in error and asked that Geoffrey Kolbe be allowed to explain the basis of this conclusion.

GK then gave a presentation in which he explained that calculations he had done showed that the coverage plots, which were part of the documentation in support of the application, were far too optimistic. He showed that there would be no coverage at Hermitage Castle, which was the most popular tourist site in the area and where the coverage plot showed there would be coverage. He presented a convincing case that an error had been made in the coverage plot software used by the applicant, where a mast height of 300m had been entered instead of the proposed height of 30m. GK noted that Clarke Telecom had not admitted the error, but remarked that admitting the error would be very serious in that questions would then have to be asked about how the error took place? Why were there no checks to ensure such errors did not take place? And how many times had such errors been made in previous applications, which had gone forward on the basis of the submitted coverage plots?

Jane Bower added that through her lawyers she had opposed the application as submitted as it was a “sloppy piece of work” and had too many deficiencies to warrant approval. It would not give the coverage purported and if put in place, would ‘tick the box’ on mobile coverage in the area meaning that we would never get decent mobile phone coverage.

LS asked if it was not possible to look at other sites? Jane Bower reported that this would be sensible, but this particular application before the CC would not achieve the objective.

JS proposed that the CC would oppose the application on the basis that the coverage was not sufficient to meet the needs of the community. This was agreed and JS offered to write the CC’s response and submit it to SBC Planning.

11. Thanks to Ward Councillors for their work

GK resumed the chair for the rest of the meeting. As there would be elections for Ward Councillors before the next CC meeting, GK moved a vote to thank the Ward Councillors for their work on behalf of this area during their term in office, particularly for Watson McAteer who had been exemplary in attending CC meetings and for helping in resolving issues that had arisen. GK led a round of applause for the Ward Councillors.

12. Any other business

Penny Scott noted that the copse of trees opposite Newlands had fallen trees which had not been cleared up after Storm Arwen, and that there was one particular tree which was overhanging the road and was held up in the branches of another tree. This was clearly a hazard and should be removed. Also, the fallen trees threatened to block the drainage ditch running by the road side and this could result in the road being flooded in heavy rain. GK said he would write to Buccleuch Estates who owned the copse.

AW reported fly-tipping in various sites - an armchair in the river near Saughtree Station, a washing machine in the forestry road entrance to Laws Hill, a settee near Steele Road.

AW also reported on the poor state of the B6357 Jedburgh road from Riccarton Tollbar Cottage to Burnmouth Farm, which had not been resurfaced during previous Timber Transport projects. LS also noted the road from the B6399 at Hermitage to the A7 was also now badly potholed.

Watson McAteer noted that though an extra £1.3M had been allocated to road repairs, the Teviot & Liddesdale area actually had less money apportioned to the area than before.

AW moved to thank Hermitage Hall in the persons of John and Penny Scott for preparing the Hall for CC meetings.

Penny Scott drew the attention of the CC to the forestry road near Steele Road which is being used as a staging point for bikers from which they ride the local forestry roads. They are leaving rubbish/excrement and camp fires being set. JS said that they had made approaches to Tilhill about putting a gate at the entrance to the forestry road and hoped that this matter would be thereby resolved. However, if the outcome was not satisfactory, they would ask the CC to become involved.

13. Date of next meeting

4th July