

Upper Liddesdale & Hermitage Community Council

Ordinary Meeting 7th September 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, Annette Smart

Members of the public - 16

Meeting started at 19:00hrs

1. Apologies for absence

Ward Councillor Jane Cox.

2. Approval of the Minutes of the Ordinary Meeting 4th July 2022

JS moved that the minutes be accepted as a true record of the meeting. Aw seconded the motion. Motion was accepted

3. Matters arising

JS noted that he still had not arranged training for use of the defibrillator, in particular the defibrillator recently installed at the resilience shed opposite Larriston Farm on the B6357. He asked that this be put on the agenda for the next meeting.

4. Treasurer's report (John Scott)

JS reported that the SBC grant of £540 had been transferred into the UL&H CC bank account which took it up to £1608 in unrestricted funds. Against that, about £100 was being deducted for hire of the Hermitage Hall and associated costs leaving approximately £1510 in unrestricted funds.

5. Meetings attended

Area Partnership (Andrew Warburton)

AW reported on an Area Partnership 'Pot B' meeting, where an application by Stable Life was approved. There was a grant to Burnfoot Community Futures. A grant to Citizens Advice Roxburgh was deferred. A grant to Campaign for Borders Rail of £2300 was approved to create a feasibility study (in recognition that the feasibility study from the Scottish Government is apparently stalled) though it must be completed in six months.

Scottish Borders Community Councils Network meeting (Geoffrey Kolbe)

GK reported that there had been a participation request to the Community Planning Strategic Board and Watson McAteer commented that the rules had been changed about membership of this committee and it was now truly a community based planning - and not before time! There was an update on Place Plans and there was help available from SBC to help Community Councils create a Place Plan for their own community. GK commented that this was a project for the next Community Council after the forthcoming elections. There was an update by Colin McRath on his correspondence with the Scottish Government

about getting all the Community Empowerment Act enacted. Currently, section 10 on community representation had not been enacted.

Resilience Groups meeting (Geoffrey Kolbe)

GK reported that he had attended most of this meeting which took place at SBC HQ in Newtown St Boswells on 31 August, save an hour in which he had been locked into the main entrance and unable to get out! He was finally rescued by David Robertson, the acting CEO of SBC. GK did hear a presentation by SEPA, at which they announced that there was a new flood warning system on their website, developed jointly with the Met Office. This will give a rolling 3 day outlook on flooding. The river gauges on the Hermitage Water and the Liddel Water will be coming back online as they continue repairing the damage done to their IT systems in a hack two years ago. There is also a report flooding tool on the website which it is encouraged that people use.

A misunderstanding about clearing fallen trees and other debris from a watercourse was cleared up. Any tree that falls into the river is still the property of the landowner from whose land the tree originated, so that landowner has the right to retrieve the tree without having to apply for a licence. But if gravel is to be removed from the river, the landowner must apply for a licence. (LS commented that there was a fee for the licence.)

The Borders Search and Rescue, which had operated out of a lock-up for some 30 years, now had its own purpose built building to house their equipment and which had space for training.

There was a report from 'Tim' about the interactive map on the Gavington, Fogo and Palwarth CC website. This is similar to Google Maps in that it is a GIS (Geographical Information System) which has layers of different information. This uses free mapping software Zoomstack by OS, which comes with a lot of information already, like property names, and to which the users can add their own layers. This has been used with some success for mapping areas which have electricity blackouts, for example. GK commented that this was another project for the next CC.

6. Request for comments on planning application 22/01153/FUL, Demolition of bothy and erection of holiday let/annex accommodation (part retrospective)

GK introduced the item by reading from the applicant's application statement describing the project. It is a holiday-let 'pod' which has been partly installed and for which planning permission (partly retrospective) is being sought.

GK noted that there had been three letters of objection and no letters of support. The objections were broadly of three categories: That its construction was not in keeping with other buildings in the area (the walls are made of composite boarding, a mixture of wood and plastic, and the roof is of 'wiggly tin' similar to the corrugated iron used on Nissen huts). That there was a lack of consultation with neighbours in the surrounding area (one objector described seeing it as a "shock"). That it was too close to the road, impeded a view around the bend in the road and the parking was hazardous.

GK read out the response from SBC roads department which commented that while there was parking for one car, which would be sufficient if the pod was to be an extension to the existing holiday-let at No. 2 Roadside Cottage, there was insufficient parking if the pod was to be used as a separate holiday-let. GK noted that this was a point that needed clarification, but in a statement of rebuttal to the objections the applicants appeared to defend the option of two cars parking at the site as they stated they had regularly parked two cars with no problems. They also wrote that they were intending to build a fence between the property and pod, indicating a desire to keep the option of two holiday-lets.

LS commented that this was the real problem with the project as this was a major timber lorry route and if a car was awkwardly parked - as could easily happen with people unfamiliar with the area - then this could lead to a hazardous situation. LS also commented that the pod looked like a mobile home.

GK continued to quote from the applicant's rebuttal to the objectors, with reference to the lack of communication with the local residents, in that they did not deem it necessary as the only people "mildly affected" were the immediate neighbours at No. 1 Roadside Cottage.

With regard to the appearance of the pod, GK read further from the rebuttal about how numerous visitors had been impressed with it, though the applicants also quoted Andrew Douglas (farmer at Saughtree) who had frequently described it as a 'cow shed'.

GK noted that he had informed the applicants on 20th August that this application would be discussed at this meeting, but that they had said they had previous engagements and could not attend. GK warned them that there had been a number of objections and that they should consider having someone represent their case at the meeting. In this regard, GK introduced Mrs Jean Sandford, whom he invited to speak on behalf of the applicants.

Mrs Sandford thanked GK for his introduction. She noted that the construction echoed the curved wriggly tin roof on several other buildings in the area and so to that extent it was in character. She noted that one objector had thought the pod would attract the 'wrong sort of people', and countered this by saying that the existing holiday-let was rated 'five star' and that visitors were charged appropriately and carefully vetted.

Mrs Sandford thought the notion that the pod was too close to the road, and parking in front of it was hazardous in consequence, was overblown in that the cattle-grid on the road right next to the property would slow the traffic down and reduce the risk. She commented that there were alternative plans to create parking behind the pod (GK reminded her that the CC had to consider the Application as presented) and that there was parking across the road (GK noted that this was Council property for use by Council vehicles and could not be considered as parking for holiday-let guests).

Mrs Sandford admitted that the lack of consultation was perhaps regrettable. She opined that in rural communities there is a resistance to change but that in time, this would be appreciated as an exciting new development built to a very high standard. She said there was no negative effect on anybody and it could only benefit the area by bringing visitors to the area. GK noted that there was a negative effect on others in that the water supply was a shared supply and the pod would increase the burden of maintenance and cost thereby to other users - a matter upon which there had not been any consultation. Mrs Sandford responded by saying that there had been discussion on the water supply with Andrew Douglas, but that further consultation had not been seen as necessary. GK noted that the septic tank was also a shared resource.

The question was asked why this was a "partly" retrospective Application? GK answered that this was because the construction of the pod had not finished. Mrs Sandford stated that she thought that there had been a previous application for this project which for various reasons had not come to anything. GK responded that if there had been such an Application, the CC would have been asked for comments as with the present Application, and it had not.

Ian Graham commented that he thought the pod looked very nice and fitted in well with the area. Mrs Sandford asked if there could be a show of hands of those who approved of it. GK asked for a show of hands for those who approved (2) and those who disapproved (5). Mrs Sandford noted that a large number had not put their hand up, to which one of them commented that he had not seen the pod!

GK asked the Community Councillors for their opinions. LS still thought that the pod created a traffic hazard. AW thought that the appearance was out of character and did not like the look of it. JS was mindful of the objections of the nearby residents and so objected to it on that count. GK remarked that there was no need for him to add his comments and that the CC would be objecting to this Application.

It was revealed that Mrs Sandford had been recording the meeting without asking the meeting if this was acceptable. Mrs Sandford stated that she was only recording the meeting for personal reference as she could not speak and write notes at the same time. She stated she would not be sharing the recording with anyone.

7. Request for comments on a woodland creation proposal at Gorrenberry (Tilhill)

GK noted that Gorrenberry Farm belonged to his wife and so would recuse himself from this item. He asked AW to take the Chair. AW introduced the item, which was to comment on replanting after harvesting some small plantations of sitka spruce. AW noted that the replanting would be in native hardwoods. It was noted that this was not a planning matter and that Tilhill were requesting comments from the community.

The area of replanting was slightly different than the original plantations. LS thought that the reason the CC was being asked to comment was that the area to be planted was slightly larger than the original plantations. Jane Bower (owner of Gorrenberry Farm) corrected LS by noting that there had been a change in the rules on consultation and that any new planting now required consultation with the community. The only comment from the audience was that it was good that the replanting was being done in native hardwoods. There were no comments other than general approval.

AW handed the Chair back to GK.

8. Report on National Park. (Jane Bower)

Jane Bower began by stating that the pace of action on designating one or more new National Parks was now hotting up! The Scottish Government had specified a tight schedule whereby Nature Scotland would be setting out the criteria for proposals for a new National Park. Proposals for new National Parks according to these criteria would have to be submitted between March and August 2023 and the Scottish Government would announce the area(s) to be designated in September 2023. There would be a public consultation on the criteria starting any day now and Jane Bower urged everyone to make a submission.

She noted that Lorna Slater, the Environment Minister, wanted 'lots' of proposals and envisaged a multitude of small National Parks. The Scottish Government was prepared to offer grants to work up proposals for new National Parks. However, there were currently only two fully developed proposals for new National Parks, one in Galloway and one in the Scottish Borders. In reality, due to the tight timeline, these were the only two in the running.

Meanwhile, the Campaign for a Scottish Borders National Park was busy ensuring all stakeholders knew what they were proposing for a National Park in the Borders.

9. Any other business

GK reported that construction had started on the Pines Burn wind farm without a Traffic Management Plan (TMP) being in place, as required by Condition 17 of the consent. The TMP was important as this was how the community would know the routes by which load - particularly abnormal loads - would get to the site. GK said he had complained to the Acting CEO of SBC on this matter and had yet to receive a reply.

Meanwhile, it was becoming clear that the chosen route would be South on the A68 to just South of St Boswells Then, a right turn would be taken onto the A699, a left turn onto the A7 just South of Selkirk, South into Hawick and then picking up the A698 (crossing two roundabouts on the way), navigating the

very narrow Weensland road (disconnecting a small forest of telephone lines along the way) before another right turn onto the A6088 towards Bonchester Bridge. Another right turn onto the C29 at Hawthornside and then a left onto the B6399 to get to the site.

Ian Graham brought up the matter of the gate which had been installed at the entrance to the forest track just South of Steele Road. He said the gate prohibited pedestrian and wheelchair access. He said a lot of railway enthusiasts, bird watchers, disabled people and other walkers use this entrance. JS responded that the track had been used in particular by organised bike groups who had camped there leaving a lot of mess and excrement and the gate had been installed to stop them. JS noted that the code for the lock could be made available to local people. LS commented that there were bike groups organising bike events in the countryside for profit and likely they had used the site. Ian Graham asked if a pedestrian entrance could be made for the track? LS said that bikers will not be stopped by a pedestrian entrance. However the possibility of a turnstyle type entrance was mentioned as a possibility. Ian Graham noted that wheelchair users would not be able to negotiate a turnstyle type entrance. GK did not think that the track was amenable to wheelchair users anyway! It was agreed that Tilhill would be contacted to see what could be done to allow pedestrian access while ensuring vehicular access of any sort was prohibited.

AW noted that there was a meeting in Hawick at the Lesser Hall at 6:00pm to explain Pot A and Pot B and how to make applications, if anyone wanted to attend.

JS noted the Police Report was wide-ranging and it was difficult to find matters, if any, relevant to UL&H CC. He wondered if a more specific report for our area could be provided? Watson McAteer commented that this had been raised on many occasions without success, and unfortunately the comprehensive report was all that could be expected.

Following today's accident at the B6399/Hermitage Bridge, it was noted that the Borders Council should review the need for narrow bridge/sharp turn signage on the B6399 on both sides of the bridge. Watson McAteer advised he had already forwarded a request to the Roads Department to undertake that review.

10. Chairman thanks Community Councillors. Community Councillors stand down pending new elections.