



Newcastleton & District Community Council

Tuesday November 8th, 2022

Minutes of Ordinary meeting

PRESENT: Iain Crosbie (Chair), Barbara Elborn (sec), Rob Irwin, Ian Nichol, Keith Brough, Lyndsay Patterson (Vice) 3 members of public

1. **Welcome** (IC)
2. **Apologies** received from: PC Allan Patterson, Cllrs McAteer, Cox, Smart, Jim Lewis
3. **Declarations of Interest** – there were no declarations of interest from members
4. **Police Report** - Monthly regional feedback report posted on www.livenewcastleton.com Local report provided by PC AP

OCTOBER

- Report of damage caused to campervan parked in South Hermitage Street. No corroborative evidence of any deliberate act, possibly accidental damage.
- Call regarding owner of dog being unable to care for the animal, passed to SSPCA for further enquiry.
- Report of thefts from Council yard and Bowling Club. Pickup seen in area checked and linked to travelling criminals from Northumberland, enquiry being progressed by CID. Village CCTV invaluable for this incident
- Concern for person call to Village, family of elderly resident of village had been unable to contact them. Police attended and all was in order.
- Report from resident of Village regarding being the subject of an internet scam. Details noted and collated with Action Fraud.
- Call from Scottish Borders Council regarding a worker having a near miss with a vehicle whilst working at Toftholm Bridge, the car ran a red-light causing worker to jump onto verge. Vehicle traced in Kelso area; driver dealt with accordingly
- Alarm call to medical centre, no issues, fault in system.

NOVEMBER

- Calls to address of an anti-social nature, ongoing situation with ASBO unit aware and monitoring.
- Other rural areas, free from any major rural crimes.
- The incident reported last report of three Quads being stolen from North house Farm. Positive evidence has come to light of vehicle involved and persons responsible, enquiries are ongoing.

Monthly police surgeries commence Tue 13th Dec; Buccleuch House between 5-7pm prior to attending the Community Council Meeting 2nd Tue of every month

Parking issues to be carried forward.

5. **Minutes of the last meeting** (IC) - October 2022 were presented as true and accurate record of meeting Proposed by RI Seconded by IN

6. **Matters arising:**

- 6.1. **Area Partnership** date confirmed as Nov 16th. SBC democratic services had informed all this was to be in person, hybrid not possible. This would be taken up again as access, travel cost and seasonal weather issues impacted on the community's ability to attend. IC would attend to push this point.
- 6.2. **Admin support** for CC discussion with SBC had not yielded anything of substance other than suggestions to apply for funding. The CC felt this inappropriate, SBC needed to fund resources

necessary for the CC to undertake its duties. CC's remit was to act as a communicators between public sector and community which was hampered without increased resources to fund web hosting, secretariate and digital subscriptions like office 365. The CC was dependent on the community Trust to continue to provide access to zoom and other facilities enabling it to undertake its work.

- 6.3. **Neighbourhood Support Fund update** – amend for Copshaw Warmer Winters. SBC awarded £1.5k from the cost-of-living crisis grant fund so applications reduced by this sum

7. Roads

- 7.1. Road surface village south – still requiring repairs, surface expected to worsen over winter periods. SBC had inspected and stated it was fit for purpose currently and that works would be undertaken when budget allowed.
- 7.2. Camber at D'Main - MOP raised the accident black spot on the camber prior to the approach (going south) to D'Main Holm Farm suggesting a barrier would prevent serious accidents and run offs.
- 7.3. The community was reminded that all concerns about roads, surfaces or otherwise should be reported to SBC via the web site and can also now be raised at the monthly police surgeries particularly in reference to speeding complaints which persist on the riverside

8. CCTV

- 8.1. **riverside install** will be completed end Nov and further sites scoped to extend coverage outside the heart of the village. These sites would be funded directly but access/data fed to the central system.
- 8.2. **Selkirk Bid request** was discussed; seeking access to all paperwork which supports the GDPR protocols to avoid them having to undertake this onerous task. This had been a real challenge for the CC never having been undertaken by a community group previously. It was prepared by the community trust on behalf of the CC with inputs from Police Scotland and scrutinised via SBC's legal process to ensure that the measures were sufficient and did not compromise the data protection act. The project had proven hugely valuable, was now over budget and had no reserves to fall back on if any issues arose going forward. Previously requests for support had been extended to other voluntary community groups but going forward anyone would be asked for a donation towards costs/maintenance.

9. Planning

- 9.1. **22/01580/FUL Energiekontor 21/01137/FUL** to allow a tip height extension Pines Burn wind farm. This was discussed in detail at the October meeting. Issues raised included access on the B6399, reduction of community benefit fund, and lack of clarity over ownership. IC stated that several objections had already been raised on the planning portal, including one from Southdean Community Council, and he felt it was important to support other CCs in these circumstance. IC will draft a response from NDCC in support of SCC's objections and submit it via the planning portal.
- 9.2. **22/01616/FUL Three Ltd** Replace existing 15m monopole with 18m supporting 6 antennas, installation of ground-based equipment cabinets and ancillary development, land south of village. JL asked to submit his comment: No objection but the CC would like to understand if this proposal will lead to an upgrade of Shared Rural Network [SRN.ORG.UK]. The trend towards home working continues to increase, poor mobile reception is a barrier. Many mobile providers have poor reception in the village, some nonexistent. Will this upgrade include shared partnership so the big mobile providers can improve the mobile coverage in and around the village and remove a barrier to moving /working in the village.
- 9.3. **Correspondence received Teviot Wind Farm** – CC thanked Upper Teviotdale & Borthwick Water for their detailed assessment of Teviot Windfarm traffic calculations which had exposed seriously worrying levels of traffic forecast over the 3year period of the planned development (est at 300+ vehicles pr day). It was expected that Scot Gov energy consents unit would ask for this to be reviewed in detail given the level of concerns raised by all the local communities if this prove to be true.
- 9.4. **Teviot Windfarm Community Benefit Fund** BE/JL attended meeting, reporting back: purpose to

create effective vehicle for CBF to be administered to the 12 participating CC's from 2033 onwards. Valued at £7k per MW, approx. £2.86m pa/40yrs. Muirhall proposed company limited by members comprising 2 members per CC = 24 members, operation, and administration up to its members. No restrictions on how monies to be spent, exc usual funding rules, religion, statutory obligations, etc. Recognition of need to ringfence any structure so it is protected in any future company sell off/revised structure and community benefit is protected. Share ownership offered although details not part of the consideration at this meeting. Crossdyke used as an example. Up to 10% potentially offered and although this will be as a sub organisation below the CBF Ltd company not all CC's need to participate in the share ownership. This structure was seen as tax efficient as there would be no earning liabilities on the CBF funds but there would be governance considerations and tax consequences on the share ownership. Burness Paul (recognised third sector lawyers) constructed this model for Crossdykes. Muirhall provided funding for Crossdykes and offered shares at a discounted rate although this may not be the case for Teviothead. Muirhall asked CCs to respond formally to their proposal in 2023 and agreed to issue minutes and contacts to all present. This has been chased but not yet been received.

Action: NDCC to agree JL/BE continue liaison with other CC's/Muirhall with view to agreeing mutually acceptable structure to meet their request.

9.5. **Leahaugh/Roan Forestation scheme**, Buccleuch feedback had been provided to Buccleuch who responded with positive feedback on potential to include leisure assets (walks /trails) within the proposed schemes. This would be taken forward by the community trust as part of the leisure asset development strategy.

9.6. **Queens Canopy** new woodland postponed until felling completed to be sited on Holm Hill rather than Sawmill bank to provide new cover for wildlife, not planted till post Xmas.

10) Correspondence

- a) **Waverley Line blocked access** update provided by Cllr Smart; new gate placed by Tilhill remains unlocked and accessible for non-vehicular access. SBC Ranger walked the route noting other access difficulties. Further follow-up needed, not an adopted route, SBC has no direct responsibility, however Council can work with owners with regards to access.
- b) **Douglas Square pedestrian crossing** feedback SBC had provided a plan. This would be posted on fb and around the village to seek wider views if no issues raised then SBC would be asked to proceed in 2023 <https://livenewcastleton.com/community-services/newcastleton-and-district-community-council/>
- c) **Liddesdale Parish Church Christmas Tree Festival** members thanked them for their request but declined to participate due to other pressures
- d) **Boundary commission consultation** about proposed changes released today and open till mid-December on web site.

11) Public forum/Community issues

- a) **Riverside bund:** signage posted less issue with user walking over it
- b) **Tree donated** by Dr. Bethune's family – location suggested as Whithaugh pool end of riverside
- c) **Traffic riverside**, complaints ongoing, please report incidents to police only repeated complaints to them will instigate any actions: LothianScotBordersCPTHawickHermitage@scotland.pnn.police.uk
- d) **Flood group** reported concern that the CC had taken no action on flood barriers following publication of minutes reported at the Oct meeting. The CC was unaware of any expectations to take forward actions having previously reported that once work at Hawick was concluded, SBC would provide the demountable barriers as no budget was available for flood gates. The flood group advised they wished to conclude discussions; SBC had suggested a review of other demountable systems and that a working group should be formed to assess. The CC advised that decisions were needed based on the outcomes of the process as it evolved which was agreed as:
 - i) Meeting (SBC emergency team, local fire service, community resilience and flood group) to review process and actions required to install the demountable barriers. Fire service feedback indicated that to act as proper defence mechanisms these would need to be deployed seasonally restricting access at the top end of riverside dramatically, potentially making this

option unworkable. This would be investigated, and decisions made about the viability of the deployment of the Hawick barriers.

- ii) Outcomes would determine if next steps were required and if a budget was available to move forward.
- iii) Review of other more flexible demountable barriers ref placement, storage, resource, timings needed to deploy and their effectiveness needed to decide value of funds required to purchase barriers as well as provide any necessary equipment to transport them into situ from locally sited storage which was likely needed at top/bottom of the village.
- iv) If this was forthcoming, the same 'working group' would establish the best solution. Once this was known storage capacity/needs would be advised to the community trust who would review available spaces and accommodate where necessary.
- v) The CC would report outcomes of this process if kept informed of progress which the flood group undertook to do.

AOB

Key Dates:

Date of next AP meeting – Wed 16th Nov, venue and agenda not yet received.

Date of next CC meeting Dec 13th

Chair thanks all for attendance, the meeting closed at 8:30pm