



Newcastleton & District Community Council

Tuesday, April 25th 2023

Minutes of Ordinary Meeting

Present: Iain Crosbie (Chair) Lyndsay Patterson (vice chair), Barbara Elborn (sec), Rob Irwin, Jim Lewis, Ian Nichol, Lisa Rogers; SBC Councillor Watson McAteer; 13 members of the public and invited guest Stephen Adlard (Buccleuch Forestation consultant)

Apologies: Cllr Jane Cox, PC Allan Patterson, Keith Brough, Grant Gordon SBC Transport Principal officer.

Declarations of Interest: BE item 7c – conservation.

1) **POLICE REPORT** (PC AP) Local report: March

- Damage to property in Moss Place, reported by housing provider.
- Concern for call regarding resident of village. Police attended; incident passed to ambulance staff (twice)
- Motorcycle involved in single vehicle accident at Singdean, no injuries.
- Advice requested by resident regarding a possible online fraud. Advice given and no financial loss.

Months' notice of the day the Surgery will be held each Month, next surgery date 5pm on Thursday 27th April.

2) **NEW MEMBER PROPOSAL:** Kevin Hawkins, was proposed RI, seconded LP, agreeing to undertake duties in line with the constitution, code of conduct and equal opportunities policy. He was formally welcomed to the join the CC serving as a non-voting member for 3 months before becoming a full member.

3) **MINUTES OF THE LAST MEETING MAR 2023** were formally accepted, proposed RI, Seconded JL

4) **MATTERS ARISING**

- a) **Area Partnership:** Health & Social Care Framework strategy presented and available via SBC web site, update on Borders National Park, no update on any issues raised previously, grant funding outline proposed for 2023-24. Concerns raised about road closure and general disregard for communities from EnergieKontor ref Pines Burn wind farm. Request for a meeting to be called by SBC to engage owners and delivery contractors to review issues.
 - b) **Lighting for steps riverside feedback:** Clarity on ownership still sought from SBC.
 - c) **Douglas Square crossing:** consultation still to be undertaken about providing safer crossing spaces as previously requested by members of the public/NHS. This would in effect help to reduce the speed of vehicles, speed bumps had not been considered.
 - d) **Revised bus timetable** – Apologies received from SBC Transport Officer, who provided contact details for anyone wishing to speak with him directly regarding concerns to the recent timetable; 0300 100 1800 ext 585.
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Members of the public attending raised concerns regarding lack of consultation – (advised to them via John Lamont, MP) The revised time slot had necessitated users to switch to cars incurring £10 costs per journey with implications for relocation/depopulation.

Discussions identified that the 3-minute connection time was too narrow and caused concerns as this had been missed previously with users arriving late for employment with consequences. Comments also made about the lack of facilities provided to stand about if connections missed while waiting for the next bus (2 hours) or a local driver to arrive, acceptable during warmer periods but not winter.

The CC advised that it had not been involved in and was not aware of any consultation that had happened. Information shared at the March CC meeting was the first notice provided of the changes which reflected the loss of grants following covid, reflecting limited changes with no route lost.

It was agreed that the CC would request a community consultation to review transport needs rather than bus needs as the present approach did not seem to fit the needs of the community. It was apparent that more users travelled south and to Langholm than north. It was important that even nonusers be encouraged to participate as this was about transport not just buses – if more relevant journeys were planned as an outcome, then more users would switch to buses and this would help sustain the services as well as protect a local business/employment opportunities.

The CC would feedback the discussion to SBC to see if the short-term concerns about connections could be addressed and a future transport consultation would be held to cover the needs of the wider community to create more relevant routes. Members of the public thanked the CC for the opportunity to discuss the challenges presented and supported the actions agreed.

- e) **Battery collection:** confirmation awaited of potential local facilities from Fire Service.
- f) **Kings Coronation grant £500:** CC had requested sums to support Copshaw Goes Potty – Kings coronation activity. Decision expected by the end of April.
- g) **Forest Land Scotland:** Forest Road access Priest hill carpark complaints both cattle grids had been further damaged and with all traffic directed to hill instead of Douglas square for leisure this was now a major concern.

ADDENDUM POST MEETING 26th April 2023: the road has been scraped; new gravel laid on FLS road - access down to the entrance to the car park much improved. Attempts have also been made to 'infill' the gully's that the lorries have dug out on the bends on the tarmac part of the road, and these have been flattened and gravelled. The cattle grids have been packed with sandbags.

- h) **Community service team:** had attended and washed signage as requested.

5) PLANNING:

- a) **Buccleuch Forestation** – Stephen Adlard welcomed to the meeting as Buccleuch's consultant responsible for designing the proposals for The Roan, Leahaugh, and Ninestanes sites. The CC had previously received revised proposals which had been circulated and were on the web site.

The CC acknowledged previous concerns had been addressed where this was possible and were

pleased to see the inclusion of walks/access as part of the planting closest to the community. This would provide opportunity for a joined-up approach to all the local walks. Other matters like extraction, views and water run-off had also been considered and the CC was grateful that the design had acknowledged residents' concerns, re-siting access and keeping viewpoints where feasible.

SA was thanked for attending to answer questions in person. The CC commented that Buccleuch had made every effort to consult widely and addressed matters where it was feasible to do so.

ADDENDUM POST MEETING: a wayleave of 30m has been left for the overhead electricity line.

- b) **Holm Bridge damage** - there is concern that the Holm Bridge is now seeing damage with stones loosening/falling from its structure on the sides leading up to the crossing because of significantly increased HGV traffic because of the current extractions at Priest Hill.
- c) **Muirhall/Teviot Wind farm update** – Community Benefit Fund process update. BE reported that the community trust (as nominated lead on behalf of the 12 participating CC's) was seeking grant from LES/Cares to cover legal advice to create a new organisation to manage the funds/potential share ownership options. Updates given when available.
- d) **Pines Burn community Benefit Fund** status/complaints process being explored, draft of issues being prepared.
- e) **Conservation Status** - Cllr Smart not in attendance however Cllr McAteer provided update from John Curry; he has discussed issues with the planning team, an internal catchup required, was aware that there are several applications which have been refused but then overturned at Local Review Board.

The CC continues to express concerns about the time it is taking to get a formal answer as well as the assumed position that residents can continue to pay additional costs to get matters reviewed again at the LRB. This is acknowledged by Cllr McAteer who will continue to press for a positive outcome.

- f) **Flatt Farm - Pre-Planning/now full planning consultation 3/00422/FUL** – response from developer received in reply to concerns raised as part of the pre planning application had been shared and was on the web site.

The CC expressed its consternation that the developer had proceeded to formal planning without addressing the issues raised by residents and that the proper process had been ignored.

The CC has requested an extension to the timeline as statutory consultee and reassured residents that any additional concerns raised by them would be forwarded but that they should continue to respond via the portal with relevant submissions, papers, and pictures to help inform the planning team of their continued concerns.

These can be summarised as follows:

- The Site had changed significantly (felling) since the original application had been prepared.
- Residents requested SBC undertake a visual Impact assessment to determine if this was considered a material change directly impact residents living closest to the planned site.

- SBC's present approach to review matters via outdated desk top studies could seriously influence the outcome of the proposal as so much had changed.
- A site visit by the planning team was requested so that a true understanding of the impact could be more fully understood before decisions were made.
- Previous developers had considered other sites in the vicinity and it was felt these should be considered again – Ettleton Cemetery was given as an example used during the emergency foot & mouth crisis.
- Lack of clarity (particularly about the appropriateness of the chosen site as the developer has not undertaken an ecological survey.
- No detail on the power connection and timeline in relation to this, potentially leading to a second planning application requiring consideration and concern that any proposal might adversely impact residents in the immediate vicinity.

The CC reinstated its view that smart technology was needed to ensure the community could continue to attract residents; residents and businesses needed access to 4 and 5G technology and this was already providing broadband access in not spots in other parts of the community; it is seen as an essential part of the infrastructure needed to keep us connected. Additionally, this mast and the one planned at Braidlee, would be hosting multi-suppliers providing more choice to users lowering mobile subscription costs. This was seen as hugely beneficial to residents as well as providing wider access to networks for visitors, who are significant users, and are an important element to consider economically.

A summary report would be provided to SBC as a statutory consultee by the extended deadline.

ADDENDUM POST MEETING: SBC will accept any additional submissions to the planning application up to the determination date, which is confirmed as May 5th. However, this is subject to the developer providing a tree impact report and an ecological survey requested of them by the SBC planning team. No decision will be made until SBC receive this information. Residents are advised to register on the portal and flag the application so that as soon as reports are lodged, notification is received. The next CC is not happening till June this is the safest way to keep informed on the application.

6) CORRESPONDENCE

- a) **Headstone briefing/Etteleton Cemetery:** not relevant to our graveyards but prompted another push to fix a site visit with SBC to review the challenges at Ettleton ref access.

7) PUBLIC FORUM/COMMUNITY ISSUES

- a) **Sawmill plantation and Crow Wood fallen trees clearance:** Requests received from members of the public for reassurance re nesting birds; NDCT confirmed that the relevant wildlife studies were undertaken, the last being Fri 23rd April, by a qualified wildlife ranger with 19 years' experience. The written report was awaited, but email correspondence confirmed that there were no nest sites in the fallen trees and that there was, in his opinion, no reason why the removal program could not commence.
- b) **Why was no information given out to all the village, reference the closure of the woods or how long it is to last?** NDCT reported: There was a 3-day consultation held in Buccleuch House in Mar from Thu -Sat to allow as many people as possible to comment. Posters were displayed and social media posts placed, all residents directly impacted received written notice of the planned works with an outline timetable. Works will be completed as timely as possible and in collaboration with local needs; noise is an issue and this is being planned to suit those immediately impacted. Works

will be completed as soon as possible and the community informed when it is safe to re-enter the woodlands.

- c) **When is the BUND to be finished?** It is completed. No planting or disturbance of any kind is planned until the end of this year to allow the structure to settle and mature. Residents are reminded that this is NOT replaceable, no one should be walking, cycling, or using motorcycles/trial bikes on it. This is the first line of defence for many properties and needs to be respected by all.
- d) **As there are to be no vehicles on the riverside during the Music Festival how is it to be ' policed ' and can another site be offered?** The play park has traditionally been used for camping, the CC see no reason why this cannot be continued as in previous years. Recent years this has not reached capacity. It is up to the festival committee to ensure that the necessary licenses and protections are in place including marshals to ensure that attendees are informed that the riverside is out of bounds for vehicles and that the bund must be respected.

9) **DATE OF NEXT MEETING:** June 13th 7pm in village hall

There being no other business of note the Chair closed the meeting at 8:50pm