

Heriot Community Council

Minutes of meeting, Wednesday 3rd April 2019.

Present: H. Brinkworth, F. Connelly, S.Sharp, G. Whittaker, J. Williams (Chair), Cllr. Scott
14 members of the public.

Apologies: Cllr. Aitchison, Cllr. Anderson

1. Minutes of the previous meeting: These were agreed without modification.
2. Police report. Attached. Principally minor issues, but with one instance of a driver urinating in the bus shelter at Crookston who was caught and fined after being traced by police following a report by a member of the public.
3. Planning application 19/00429/FUL. Erection of dwellinghouse and associated works, land West Of 3/4 Gilston Cottages. After a brief discussion, the CC agreed that the proposed building was visually innocuous and its construction would be consistent with its current agreed approach to development in the community. *GW to write brief supporting letter*
4.
 - a. Area Partnerships. JW had attended the last meeting of the area partnership, and had again raised various ongoing issues with Cllr. Edgar (*inter alia* the underpass situation, Heriot plan and Heriot Community Broadband), with no satisfactory result.
 - b. SBC announced that it is now consolidating almost all community funds that are in its remit into a single fund, from which the Eildon area will be allocated £270k, which will be bid for by communities in amounts up to £10k (exceptionally, up to £30k). There was discussion about the community council grant, which will also be absorbed into the general fund, and concern was expressed about the effect of this on smaller communities.
 - c. Following on from an item touched on in a previous discussion, the Chair briefly outlined the development plan that the CC had written, and the reasons for creating it. The current LDP is to be replaced in a few years and the indication from Holyrood is that local communities are to have a more direct influence in how their area develops. Accordingly, and as advised by Cllr. Aitchison, Heriot CC has commenced work on a development plan for the area, starting at present with a largely factual summary of the area, its economy and its demographics. The plan includes the current position of the CC to support gradual organic growth and development (as opposed to the rapid imposition of large housing estates). The process of the LDP and the Heriot Development Plan are both in relatively early stages, and the CC will consult the community about how it should evolve. *HB to put the plan on the website, GW to publicise via the facebook page*
 - d. SS noted at this point that she had represented the HCC at a meeting where the formation of a new organisation, South of Scotland Enterprise, was announced. This

body is proposed as an equivalent to HIE and Scottish Enterprise, but operating in SBC and D & G. An interim organisation (SOSEP) has already awarded budget of £8m to skills related projects.

- e. Attention was also drawn to “Borderlands” a multi-area initiative aimed at assisting economic growth across the Scottish Borders, Dumfries and Galloway, Cumbria, Carlisle and Northumberland. This body will have a budget of £345m.
5. Gilston Windfarm. JW announced that Heriot CC had opted, following legal advice, to take legal action against the manner in which the Scottish Reporter had made his decision to grant consent for planning permission for Gilston Windfarm. Six reasons were provided in the action itself, each outlining a claimed failure in the decision-making process. It was pointed out that, even if the action succeeds, it merely requires the Reporter to reconsider the appeal by the developers, and that he would be required to cover the points that have been questioned. Planning consent may still result after that takes place. JW stated that the legal advice he had been given was that the advice received should remain confidential until appropriate for it to be released. The action is likely to continue for the rest of the year.

A protracted and frequently heated discussion followed between some members of the CC and some members of the public. The principal points in which were as follows

- a. There is no cost in the action to the Community Council. The action is being underwritten and funded by local interested parties. The Chair declined to name those parties citing legal advice. The CC is taking the action as it has recognised status in the process. There was disquiet on the floor at the fact that the third parties were not named.
- b. The CC objection to the Gilston Windfarm had been discussed at length at a meeting of the CC [March 22nd 2017] at which the landowners were present, and the overwhelming public opinion expressed at that meeting opposed the development. There was comment from the public seats that more people had formally supported the planning application than had objected.
- c. SS stated that she had not been party to the discussions or the decision to take the action and was angry that it had taken place without her. The Chair contested that she had previously excused herself from windfarm discussions on the basis of a conflict of interest due to Wull Muir. SS disagreed with that.
- d. The Chair indicated that some of the public objections at the current meeting were from people with either a direct financial interest in the Gilston wind farm, or in other local wind farms more generally.
- e. There was objection from members of the public at the lack of information about the decision and that the decision had not been taken in public. The Chair pointed out that the time available for making that decision did not allow for a public meeting.
- f. There was comment from a member of the public that the decision for the HCC to take legal action against the Reporter is different from opposing the development.

- g. Following directly on from this was a question about the legitimacy of the decision by the CC, and a request by one member of the public to be sent a copy of the CC constitution. *JW to send 'K' a copy of the CC constitution.*
 - h. A complaint was made that the item was not listed in the agenda for the meeting and that there were no minutes for the decision to take the action in the Court of Session. The Chair again indicated that the timescales made prior notice on the agenda impractical, but that the topic's inclusion had been posted on the council Facebook page, and that minutes of the decision would be available in due course.
6. Windfarm Applications
- a. Wull Muir. This application is now live, with documentation supposed to arrive with the Council by Friday
 - b. Toddleburn extension. It had been reported that a plan to extend Toddleburn windfarm by six turbines was being proposed, but no further details were available.
7. Community funds.
- a. With Greencoat, the owners of Carcant windfarm, having opted not to direct their community funds via SSE into a single Toddleburn-Carcant fund, Foundation Scotland has now taken over administration of the Carcant fund.
 - b. SS and JW met with Craig Blackie (SBC) at Heriot Kirk to discuss gravestones that SBC had laid flat or made safe, with a view to reinstating them. Craig informed the CC representatives that only approved contractors may be used for the work. This was extremely disappointing as the cost is literally 10x the price of using a local contractor.
 - c. The northbound bus shelter on the A7 at Crookston had been fully installed and was extremely well received.
 - d. Sightlines from the southbound shelter were discussed, but no clear plan was proposed.
8. AOB
- a. A small grant application of £250 had been received for a mini-book shelter for schoolchildren and was approved in full
 - b. A small grant application of £250 had been received from the after-school club for emergency funding towards insurance costs, and was approved.
 - c. Falahill water supply. Still no progress and no meetings have taken place.
 - d. Galawater Singers will be performing in Stow Church with Stow Pipe Band on Sunday May 26th @ 4:00pm, £8 per adult.

The meeting finished at 20:48

Provisional dates of meetings in 2019:

(all at 7:00pm in the Macfie Hall)

June 19th

August 14th

October 9th

December 4th