

# Heriot Community Council

Minutes of meeting August 14<sup>th</sup> 2019

## **Present:**

John Williams, Frank Connelly, Gavin Whittaker, Sue Sharp, Helen Brinkworth, Cllr. Aitchison, Cllr. Anderson, Cllr. Scott. 6 members of the Heriot community

## **AGM**

- 1 The Chair reported that due to an oversight, last year's AGM had been missed. The last AGM minutes had been previously agreed, having been part of the minutes of the subsequent CC meeting.
- 2 Chair's report: attached
- 3 Treasurer's report: attached

## **Main Meeting**

- 1 **Minutes of the previous meeting:** Agreed.
- 2 **Police report** – This had, once again, not been received. Cllr. Scott kindly agreed to chase this up with the police.
- 3 **Eildon Area Partnership report.** Sue Sharp reported that she had attended two meetings in relation to this subject.
  - a. The first meeting was to inform community councillors about the Area Partnerships (APs) and community fund, which had arisen out of the 2015 Community Empowerment Act. The Eildon Area Partnership (EAP) encompasses 3 wards, being Galashiels and District, Leaderdale and Melrose, and Selkirkshire. There are thirteen community councils of various sizes in total. EAP has produced a draft locality plan which will feed into the next draft of the SBC community plan to develop policies for local authority responsibilities: health services, transport, etc. There will be a single point of entry for community groups to apply for SBC funds from the £276k budget that has been devolved to the EAP. Large awards will be agreed at the EAP meetings, with a parallel fast-track process for smaller awards (less than £1.5K) which can be approved by SBC officers.
  - b. The second meeting was the EAP itself, where Sue reported there to have been an inspiring talk about Education and “digital learning”. Also discussed were alcohol issues, outdoor provision (playparks, etc.) and community funds were allocated. There was a discussion about rural transport, which raised the subject of the Stow volunteer driver scheme, where drivers offer to transport local people to appointments, etc. JW agreed to contact Stow CC with a view to increasing Heriot involvement in the scheme, as Heriot residents currently benefit from this initiative. Also discussed at the EAP were e-cars and e-bikes for community use.
  - c. In response to some discussion, SA stated that the approach to integrating CCs and the APs is still under review. As community empowerment devolves more power

and input on financial expenditure to communities, it will be important to get this right. There is still some controversy over how much APs will actually empower community councils.

#### **4 Wind Farms**

- a) **Gilston Windfarm.** A new reporter will commence a redetermination of the proposed Gilston wind farm. Resubmission of existing material will not be permitted. JW had started to formulate an updated response from the CC, but with the restrictions imposed by the DPEA, this had been difficult to get right. A suggestion had been made that the CC could use experts to get this done properly, with the fees being paid for by Raeshaw estates, which led to some involved discussion.

Concern was expressed by some members of the CC that the CC had never taken this approach before, about whether it was an appropriate approach and about the short timeframe for making a decision. On the other hand, it was pointed out that the applicant would be employing professional advisors, that this wouldn't change the overall CC response, and would take a significant workload away from CC members.

After some significant discussion the CC finally agreed, by 4:1 majority in each case, to:

- take expert planning advice and assistance from Gillespie Macandrew, and
- to take expert, specialist assistance in relation to noise and
- to accept the offer by Raeshaw Estates to fund this.

The Chair will continue as the day-to-day contact, reporting all major matters to the CC as a whole for comments and decisions.

b) **Wull Muir Wind farm**

The Chair updated the meeting of the current position. The planning officer is still accepting comments on this application, and a number of comments, including from the public, had been submitted. Significantly, the SBC Landscape Officer had raised objection to the proposal, largely on the grounds of its impact on the views from Midlothian. It is likely that the application will not go to the Planning Committee until after October.

c) **Greystone Knowe**

This is now expected to be submitted to the planning system by the Autumn.

d) **Other windfarms**

Members of the CC and the public are aware of other proposed wind farms in the area at various early stages of development, but none with any details of any worth at this point. There followed some extended discussion about the impact on residents of windfarms in general and existing proposals in particular. There was some discussion about how the CC should determine the opinions of local residents in formulating their response to future proposals. Issues included whether the weight of people who are directly affected should have more weight in the CCs response than people who are not affected, and whether support of /objection to wind farms in general translates directly into support for, or objection to, specific planning proposals.

It was generally agreed that public meetings are a poor way to determine the overall community opinion, and that the CC should look into more effective methods of evaluating the community opinion about wind farms in the local area. This could be appropriately carried out as part of the community development plan.

## 5 Broadband

- a. Heriot Community Broadband has now been wholly subsumed into Borders Online, with an extensive network of new connections being made. A question was raised about whether Heriot would be reimbursed for its significant community fund contributions to HCB now that it had been taken over by a company limited by guarantee. It was stated that this would be the case, although it was also pointed out that Heriot residents have significantly benefitted from low-cost broadband and free equipment over the last few years.
- b. BT Openreach FTTP. It was reported that a small number of properties have now been connected, but there is still no clear statement from BT about how many properties will finally be connected.

## 6 Community Funds

Heriot Church gravestones. SS reported that a local contractor had submitted a bid for the repair work on the gravestones, but was prohibited from carrying out the work by SBC because he was not an approved contractor. Instead, SBC required the employment of a registered monumental mason at over three times the cost for a similar proposal of works. SA requested details of the email discussion and promised to raise the issue with SBC officers.

## 7 AOB

- a. **Polling station review** – A review of polling stations was under way, but this raised no issues for Heriot residents.
- b. **Scottish Land Commission consultation** - SS reported that she had completed an online questionnaire for this, but felt that it was too general in its approach to community assets to be of any practical use.
- c. **SES plan** – This is the regional plan that sits a level above the SBC local plan. It had been rejected by ministers on the grounds of its approach to transport issues, and has been referred back for redrafting.
- d. **Nettlingflat winter refuge parking**. GW requested release of some of the fund earmarked for this to allow maintenance to be carried out before the winter. This was unanimously agreed.
- e. **Allotments** – SBC has launched a 12 week consultation on Food Growing Strategy to identify land that can be used as allotments, and other kinds of community growing, aiming at improving food supply and quality. Heriot has one small allotment at the school which requires work from volunteers. SA can provide contact with a person willing to come to talk on this subject, offering advice and guidance.
- f. **School Astro turf** – This was now installed, with Raeshaw Estates having provided funding.
- g. **Skip** – Sue had arranged for this and it has been booked for the 16<sup>th</sup> August. GW to announce on Facebook.

The meeting ended at 9:02pm

### Provisional dates of meetings in 2019:

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

October 30<sup>th</sup>

December 4<sup>th</sup>

## Chairman's Report 2018/19

Throughout the last year, the community council has been dealing with a number of different issues of importance to various parts of the community.

Two of these are hangovers from the construction of the Borders Railway. Despite repeated efforts by the council and our SBC Councillors Sandy and Andy there is still no final resolution of the scandal of the water supply for some of the houses at Falahill. We are grateful to our councillors for their efforts, but it is nothing short of a scandal that after all these years a final solution is only now beginning to emerge.

Equally the lack of interest in resolving maintenance of the Heriot underpass is another scandal. SBC accepted responsibility for the underpass some years ago from Network Rail, but still refuse to make any provision for maintenance. We are grateful to Angela Mackay who made a major clean-up of the rubbish, but winter maintenance still gets the response from SBC that we are supposed to look after this ourselves. We continue to point out this is not something for volunteers to carry out, and that SBC has been lucky that the underpass has not been seriously blocked by a major snow storm.

On a more positive note, we have been able to resolve another problem that SBC has consistently failed to deal with, which is the provision of bus shelters at locations along the A7. These have been paid for by wind farm community benefit grants, and we are very pleased with their construction by Peter Caunt and his team. This project was supervised by Gavin Whittaker, who spent a great deal of time dealing with the bureaucratic approach SBC took, which threatened at times to derail our self-help.

Throughout the year various applications have been for small grants and we have been pleased to be able to help community groups with their various schemes.

Heriot Community Broadband has been a major beneficiary of community benefit grants over recent years and continues to expand and thrive. Over the last 18 months a major upgrade of the man masts has taken place, with the result that speeds on the network are now truly high-speed links. Many areas of the Borders still struggle with antiquated connections and abysmal speeds. HCB formed a close tie up with Stobo & Dawyck Community Network some time ago, and this has now evolved into a formal combined network renamed Borders Online. Many nearby communities have requested connections, and these are steadily being provided where possible. Expansion is necessary to reach commercial viability, as subsidy by community benefit cannot go on indefinitely. The five-year business plan for Borders Online looks to achieve that, and we do not envisage further grant support being necessary.

As you may recall, HCB was set up by the community council, and has been run by some of us also serving on the CC. This is a major success story by our community and is now increasingly recognised by local politicians and the media.

However, it is noticeable that BT Openreach has paid no attention to HCB, and for the last five years has been promising the community high speed fibre connections. Some of these are finally materialising, but as before I do not advise you to hold your breath. Fibre has been strung along poles for around 18 months now, and we still await connections, and indeed to finally find out whether this will be high speed broadband for everyone, or just another fudge as so many other disappointed communities have discovered.

Area Partnerships. This is an ongoing saga arising out of the Community Empowerment Act passed in 2015. The initial effort by SBC to meet their responsibilities under the Act were to beef up the existing Area Forums and rename them. Funds have been allocated to allow communities to make applications for grants for local projects – but there have been vociferous protests about the operation of both the grant schemes and the partnerships themselves. SBC has listened to these protests and is currently attempting further reforms. We have attended various meetings and

offered comments, but as a small community it is still hard to see how Heriot (or other small rural communities) will make their voices heard. One notable feature this year has been the amalgamation of the various grants that have always been available for CCs and other bodies such as village hall committees. We are monitoring this aspect as the outcome is moving towards a system where applications will have to be made for such grants, where previously they were made automatically.

However, we have also started to make an effort to take part in the new planning framework the Area Partnerships are creating. This is an attempt to be proactive, to ensure that Heriot has a clear idea of how it will grow and what services it requires. An initial plan has been drawn up by the CC with considerable input from your councillors and one or two advisers giving their time. The next stage will be to ensure that the community has its say, and we are working towards that goal. If anyone is interested in this, we would welcome such help. The CC has the right to co-opt people for such tasks, and fresh ideas will be very welcome.

Wind farms. I have referred to community benefit funds – these come from the three existing wind farms that affect Heriot. Dun Law has its own trust fund which makes grants to five local communities and has two representatives from Heriot. The Toddleburn and Carcant wind farms have been administered by SSE themselves until this year, with a wind farm panel of six Heriot residents under the auspices of the CC. Colin Hood chairs this panel. This year the Carcant fund has been split away by its owners Greencoat and is now administered by Foundation Scotland. We have reluctantly gone along with this as our previous experience with Foundation Scotland is that they are bureaucratic with their own agenda.

However, the notable development has been a number of applications for new wind farms over the last two years. There are now five potential schemes at various stages right around Heriot which if all consented will change the landscape drastically. Whilst three schemes are not yet formally in the planning system – and may indeed not proceed at all – there are two that are in the system and which have been heavily involving your CC in recent months. As these will both be dealt with later in the normal CC meeting, I will leave further comment on these to my colleague Gavin who is chairing the meeting in my absence.

Wind farm applications cause considerable controversy, often dividing communities into those for or against them. There is no doubt this has happened in the last few months here in Heriot. It should be noted that the community council has to deal with these applications, and all other planning applications in Heriot, and make a planning response to SBC for consideration by the Planning Committee when it comes to make a decision on the application. It is the effects of the issues defined by the planning framework on local people that we consider when coming to our conclusion for submission.

That is clearly laid down by Scottish Planning Policy, which has a presumption in favour of renewable energy in all its forms – provided that various environmental effects have been properly addressed and are acceptable. I hope that clarifies the role we play.

Finally, I would like to thank my colleagues on the CC for their unstinting work throughout the year. They all give a great deal of their time for no monetary reward, and they all work for the good of the community, according to their own freely held views. I think the community is fortunate to have such a robust community council, and I hope in due course others will come forward to keep up the good work.

John Williams

June 2019