

Upper Liddesdale & Hermitage Community Council

Ordinary Meeting 8th March 2022

Draft Minutes

Meeting was held virtually on Zoom.

Those attending:

Community Councillors - Geoffrey Kolbe (GK) Chairman, Andrew Warburton (AW) Vice Chairman, John Scott (JS) Treasurer.

Lynda Graham and Penny Scott were also in attendance.

Meeting started at 19:03hrs

1. Apologies for absence

Alena Warburton.

3. Approval of the Minutes of the Ordinary Meeting 10th January 2022

JS proposed that the minutes be accepted as a true record of the meeting. AW seconded the motion. The motion was carried unanimously.

4. Matters arising

There were no matters arising.

5. Treasurer's report (John Scott)

JS reported a balance of £6013.65 in the bank, of which £4495.84 was ringfenced for various projects, leaving £1517.81 unrestricted.

JS noted that if the bank balance exceeded twice the annual SBC grant at the end of March, we would get no grant for the next financial year! If there were items on which the CC should spend some money, now was a good time to do it.

JS noted that there had been no requirement to pay an insurance premium. GK said that his information was that the CCs were having to pay the insurance on resilience equipment. JS replied that he had listed the resilience shed and the soon to be installed defibrillator on the insurance form and so it was reasonable to suppose that this was covered. GK asked JS if he would check on that.

6 Repairs to Billhope Bridge in June 2022

GK noted that at the previous meeting, it had been discussed that a simple bridge sufficient to take farm vehicles under the control of those working on the bridge would satisfy the needs of the farmers who needed to cross the water at that point. There had been no further feedback from the interested parties, so on that basis GK said he would write to Paul Frankland and Stuart Moir of SBC bridge maintenance and ask if that could be put in place while the bridge was being repaired this summer.

7. Improvement of footpath to Nine Stanes Rig (Andrew Warburton)

AW said he had written to Mr Morris of Buccleuch Estates and sent him a map of where the footpath used to be, but had had no response. He had also written to Katie Jarvis of Scottish Forestry but had been told that everyone is dealing with the damage from Storm Arwen and so this matter could not be dealt with at this time. So, for the meantime, there is no progress to be made.

8. Storm Arwen: Lessons to be learned - Resilience questionnaire (Geoffrey Kolbe)

AW noted that Philip Kerr (Southdean CC) had been without internet or telephone for 22 days due to the delays in repairing a broken fibre connection. GK noted that analog telephones were being phased out and would cease completely by 2025, as fibre connection to the home were being rolled out. This matter had been discussed in the UK Parliament. There was a requirement on the phone companies (BT) to ensure that in the event of a powercut, there was provision for the phone and internet to keep on working. There was a backup battery in fibre devices, but that only lasted an hour.

JS said that in his Resilience Report to SBC, he noted that we needed to be able to gather information from local residents about their resilience vulnerabilities and resources they could share with the community. Also that some form of generator backup at Hermitage Hall and/or small generators for the community at their homes was required, and analog phones that worked during a powercut was needed by the resilience team.

GK related how he had tried to get GDPR approval from SBC for a survey form to gather information from local residents about resilience vulnerabilities and resources that could be shared with the community, but was not getting any response.

GK thought that the only way forward was to obtain our own ICO certificate and assume the responsibilities of a controller as well as a processor of information. GK asked for support in this action and it was agreed unanimously.

9. Report on the Area Partnership meeting (Andrew Warburton)

AW reported that the meeting of the 28th of February had concerned itself mostly with Pot 'A' and Pot 'B' grant approvals. There had been an application from Southdean CC for £200 for "Emergency provision for adverse weather impact" and this had been approved. It had also been approved that the money left over in the Pot 'A' funds would be pooled into a Resilience Fund for CCs to acquire resilience equipment, so long as 50% voted for this.

10. Report on SBCCN meeting of 23rd February (Geoffrey Kolbe)

It had been decided at the last meeting to split the core group into five.

The SBCCN saw its main purpose in training Community Councillors to be effective, and the main training issues were, data protection (GDPR), websites, dealing with planning applications and social media.

Training booklets had previously been available - and GK noted that he had circulated these booklets to CC members a few years ago - but a PDF version was available so that we could print our own for future CC members. The booklet had been produced by Logan Inglis and there is a Powerpoint presentation to go with it.

GK recalled that there used to be an induction program for CC some twenty years ago when he had been on the Newcastleton & District CC. Martin Brimms of SBC is supposed to be organising training for CCs, but nothing seems to be happening on that front. He gave a presentation to SBCCN last October and nothing has been heard since.

GK noted that the SBC are warming to the idea that every CC should create its own Place Plan, or Community Action Plan as it should be better described. There is a seminar on Place Plans being run by SBC on April 26th at 18:00hrs by Zoom. GK said that if anyone else wished to attend, he would register them for the seminar.

Each CC is usually given an ICO renewal certificate in compliance with GDPR regulations in early January. It was generally reported that CCs had not been sent replacements.

Insurance premiums have rocketed for most CCs this year. Resilience equipment should also be insured by the CC.

11. Fawside wind farm - public enquiry representation (Geoffrey Kolbe)

UL&H CC are registered to be represented at the Enquiry, which will take place during the latter part of July and then another week in August. The Enquiry will be divided into topics, which include Planning Energy Policy, Landscape and Visualisation, Aviation Lighting, Cultural Heritage and the Eskdalemuir Seismic

array, which will take up a whole week of the enquiry. There is also a Community Session on 1st July and we are scheduled to make a representation on that day.

It seems that the MOD initially objected to the wind farm on three counts. Firstly, that the threat radar would be compromised, secondly on the matter of aviation lighting, and thirdly due to the fact that this wind farm alone would exceed the 0.336nm noise limit of the Eskdalemuir array by a factor of two! The objection to the first two has been removed. The MOD objection on the third count still stands.

The background to this is that the Eskdalemuir Working Group, set up by the Scottish Government, have commissioned Xi Engineering to look again at the contributions of wind turbines to seismic noise at the Eskdalemuir array. (Xi Engineering created the current algorithm for calculating wind farm turbine seismic noise in 2014, replacing that of Styles which had been in operation since 2005). Xi Engineering conclude in their latest report that the current algorithm is very conservative to account for uncertainties in the algorithm, but further experimentation shows that there is “considerable” headroom which would allow more wind turbines producing 1 GW more power in the 50 km radius controlled zone. This report was not commissioned by the MOD so - we are told - they will not entertain it. However, it seems that Community Wind Power has commissioned a report by Heriot Watt University and that report will be submitted to the MOD for their consideration and that consideration will form part of the Enquiry. That report is confidential.

There will also be representations by Mr Kenneth Moffat of Teviothead (opposed), Mr Stephen Lucking (opposed) and Mr Oliver Mundel MSP (opposed). The Fawside Community Group, who are opposing the wind farm, will be led by John Campbell QC. Both Scottish Borders Council and Dumfriess & Galloway Council oppose the development.

The response of the UL&H CC to the original Scoping Report noted that, “The experience of local residents at the Sneddon Law wind farm (East Ayrshire) has been that Community Windpower Limited (CWL) are untruthful, aggressive and have shown a willingness to ignore the conditions of the consent, particularly in the matter of disruption of local water supplies due to construction. We ask that any undertakings given to local residents and the surrounding community on any matter whatsoever, be legally binding.” GK suggested that the Reporter at the Enquiry, Ms Claire Milne, be reminded of this.

It is also suggested that we note that the main industries in the area are hill farming and forestry. Hill farming is only marginally viable and only then with government grants and more and more of the land is being given up to forestry, which is also dependent on government grants and which robs the land of any wage earning potential for anything else. There is an attempt to diversify into tourism, making use of the natural beauty and cultural heritage of the area and there are a number of holiday lets and tourism related businesses which have started up in our area and generally in this part of the Borders, which are vital so that the local economy remains viable. The presence of large industrial energy factories in this area would totally ruin its timeless scenic character and so would not be attractive to tourists and nullify the huge effort that is going into attracting tourists into the area. JS agreed that this was the main point to make at the enquiry.

12. Windy Edge wind farm - Scoping Report response (Geoffrey Kolbe)

JS asked how wind farm projects got their place in the queue for wind farms in the Eskdalemuir Noise Budget (ESB) and GK replied that it used to be on the basis of applicants declaring an intention to the Council Planning Department, or the Energy Consents Unit if it was a ‘Section 36’ application, and providing an initial Scoping Report as the first part of the planning application. This had been challenged by EnergieKontor in a Judicial Review and it was changed to be on the basis of the second phase of the application process, actually lodging (and paying for) an application to build a wind farm. On this basis, Windy Edge had now lost its place in the queue and is submitting a whole new application.

GK had previously circulated a draft of the UL&H CC response, based on specific comments on the submitted Scoping Report. This response was approved by the meeting.

13. Millmoor Rig wind farm - Scoping Report response (Geoffrey Kolbe)

GK said he had not had time to look at the documents associated with this. He summarised an email from Philip Kerr, Chairman of the host CC of Southdean, which noted that the main point of objection was that the size of the development was far too large for the location. JS proposed that we write in support of Southdean's response, GK agreed that this was a good plan and the meeting agreed.

14. Queen's Platinum Jubilee event (John Scott)

Penny Scott reported that the Hermitage Hall committee were proposing a gathering on Thursday June 2nd in celebration of the Queen's Jubilee. There would be food and drink appropriate to the occasion provided by an outside caterer and a tree would be planted behind the Hall. On behalf of the Hermitage Hall Committee, Penny Scott asked for the support of the Community Council in this endeavour. GK said that he would be very pleased to recommend that the CC support the Hermitage Hall, but wondered if many people would turn up on a Thursday? Penny Scott replied that the day had been chosen so that it would not clash with any other planned event either in Newcastleton or the lighting of the signal fires. She also noted that the "Chat" sessions at the Hall were well attended despite being on a Tuesday. GK suggested the CC make a financial contribution and it was agreed that £200 be contributed to this end.

15. Recruiting people to the Community Council

AW gave notice of his intention not to stand again in the CC elections in October. It was agreed that suitable candidates needed to be found to step forward for election onto the next CC. GK suggested the CC hold a gathering at the Hall during the summer months with this as one of its aims. In the meantime, GK asked that Community Councillors sound out suitable candidates willing to put themselves forward.

16. Any other business

Lynda Graham noted that her dog Boris had been very poorly after gulping down a discarded deer leg and GK agreed that the hoof parts were very sharp and could injure a dog, especially as this was the first part a dog generally chewed off. Lynda said that she had written to Dr. Colin Sheddon of the BSCA and they had said that while it was normal practice to gralloch the deer as soon as possible after shooting it, the head and legs should not be removed until the deer had been transported back to the pantry. Dr. Sheddon said that good practice was not to leave the gralloch near a footpath or places where dogs are walked. GK noted that foxes and badgers generally cleaned this up pretty quickly.

It was agreed that GK would write to Tilhill and Scottish Land and Forestry and ask them to instruct stalkers not to remove and leave the head and feet of deer on their land.

GK noted that the latest Police Report had been posted on the website under the 'Next Meeting' tab.

JS suggested that "walkie talkies" could be procured as resilience equipment so that the resilience team could stay in contact in the event that other communications were out of action. GK said he would look at suitable options. In the meantime, it was agreed to ring fence £250 for the purchase of walkie talkies.

Penny Scott kindly offered to put notices on the CC noticeboard by the Hermitage Hall. GK said he would give her a key to the noticeboard to this end.

17. Date of next meeting

9th May 2022.