

**Minutes of the Lammermuir Community Council
AGM & Ordinary Meeting
Tuesday 21st November 2017 at 7.30pm
Longformacus Village Hall**

Present:

- LCC Members: Alistair Dawson (Chair), Corinne Mycock, David Mycock, Carol White (CWh), Clive Warsop (CW)
- SBC Members: Cllr Mark Rowley
- Secretary to LCC: Wendy Dawson-Young
- Members of the public in attendance: Forbes Gamley

Apologies:

Before the meeting: Tony Homer, Bill Landale, Cheryl Philipson, Cllr Donald Moffat, Cllr John Greenwell
After the meeting: Bill Renton

AGM

Agenda Point	Action
<p>1. Welcome and apologies AD welcomed all present to the AGM. Apologies were noted as above.</p>	
<p>2. Minutes of the AGM held on 13th December 2016 The draft minutes were accepted as a true record of the meeting (proposed by DM, seconded by CWh).</p>	
<p>3. Matters arising AD explained that last year had been a full election year, with a requirement for all Community Councillors to stand down and be re-elected. This year it would only be the Office Bearers who had to stand down to allow the election of Office Bearers for the coming year from serving Community Councillors. In finding out exactly what the procedure should be, he had been made aware by Pauline Bolson of a problem with the LCC Constitution, which did not clearly define the period between the full elections for all Community Councillors. This must be a minimum of every two years and a maximum of every four years. It was agreed that the Constitution should be changed to establish this requirement as every four years and also to state that Community Councillors would be eligible for re-election at that time. AD to undertake this task in consultation with Pauline Bolson.</p> <p>There were no other matters arising.</p>	AD
<p>4. Chair's Report to the 2017 AGM AD gave a verbal report as follows:</p> <p>I was elected to Chair the LCC on 30th May following Mark Rowley's election to SBC. My first task is therefore to thank Mark for the enormous effort that he has expended on behalf of LCC over many years, particularly related to broadband and Windfarms. I would also like to thank Corinne Mycock for the time and effort she has put into being both Treasurer, Secretary and the 'Community Herald'. Corinne stepped down from Secretary on 30th May since when Wendy Dawson-Young has been ex-officio Secretary. I also need to thank her. The Community Council would also like to thank Councillors Francis Renton, Donald Moffat, John Greenwell and more recently Mark Rowley for coming to our meetings and offering advice, and to Pauline Bolson for keeping us right on constitutional matters.</p> <p>There has been a considerable amount of business since the last AGM on 13th December 2016.</p>	

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<p>Windfarms</p> <p><i>Fallago</i></p> <p>There was a Public Local Inquiry (PLI) into the Proposal by EDF Renewables for a Time Extension to Fallago 1 (48 turbines) and to construct Fallago 2 (12 turbines). All Fallago 1 and Fallago 2 turbines and associated transformers, substations and quarries are within LCC area, and part of the access road extends through Gordon and Westruther CC area. LCC submitted an objection to the proposals and were represented at the PLI by Mark Rowley. The objection was based on the visual impact and the fact that Fallago 1 had already been awarded £21 million in constraint payments (the subsidy given to not generate when there was no demand, or when the grid could not cope). The outcome of the PLI is not yet known.</p> <p><i>Aikengall</i></p> <p>Aikengall I (16 turbines), owned by Community Windpower Ltd, has been operational since 2009. Aikengall II (19 much taller turbines) has just become operational. Aikengall IIa (a further 19 turbines) was consented in 2016. Construction has not yet started. We have been asked to comment on the Scheme of Community Liaison, i.e. how Community Windpower Ltd will communicate with the community about construction work.</p> <p><i>Crystal Rig</i></p> <p>LCC have received a Scoping Report issued by Fred. Olsen Renewables in September 2017 to extend Crystal Rig with a further 11 turbines, four of which are 200 m high. The new turbines are largely to the south of the existing turbines and so would have a greater visual impact on our community. LCC has been asked to respond to a series of questions raised in the Scoping Report.</p> <p><i>Blackrig</i></p> <p>A proposal for a new windfarm at Blackrig has been withdrawn.</p> <p>Windfarms and the Lammermuir Community Fund</p> <p>Windfarms are encouraged to provide annual community benefit funding equivalent to £5,000 per MW of installed capacity. Despite the large number of windfarms in our area (all the above plus Black Hill) the Lammermuir Community Fund (LCF) only receives money from one generator – Fred. Olsen Renewables (Crystal Rig). We are in negotiation with EDF Renewables (Fallago) and Community Windpower Ltd (Aikengall) about community benefits. If these go ahead as we hope, LCF funding will increase markedly. We will need to think more strategically, and to consult with the community about their wishes, for use of these funds.</p> <p>Broadband</p> <p>LCC has been working hard to try and find a way of providing Superfast Broadband in our area.</p> <p>It was clear some time ago that BT would not provide Superfast Broadband here, apart from some premises in Longformacus which are comparatively close to the exchange; in their opinion it is not cost effective for them to do so. To fill in the gaps that BT will not upgrade, the Scottish Government set up Community Broadband Scotland (CBS). The idea was that CBS would provide help, advice and some finance to enable local communities to set up their own independent Broadband Schemes. LCC along with other Community Councils in the Borders has been working together with CBS to achieve this.</p>	

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<p>Independently of other Community Councils, LCC recently set up a Broadband Working Group and commissioned a report into ways in which Superfast Broadband may be provided specifically in the Lammermuirs, from a full fibre solution to a point to point radio solution, or a hybrid of the two. We had hoped to get some CBS funding, topped up with our own private funding, to attain the best possible cost-effective solution.</p> <p>However, it has now become apparent that the CBS model of community-owned broadband schemes is not working successfully. CBS has been superseded by R100.</p> <p>R100 is a Scottish Government commitment to provide 100% of Scottish premises with Superfast Broadband by 2021. To achieve this, Scotland has been divided into three zones, North, Central belt and the South, and private companies have been asked to tender to provide Superfast Broadband in each of these. The Scottish Government will pay the difference between what companies offer to invest, and the full cost. The tendering process should be complete by the end of October 2017 and procurement by the end of the year. There will then be a period of competitive dialogue with the providers. Contracts should be in place by the end of 2018. It will not be clear until then as to how close to 100% coverage this initial process will achieve. However, premises not covered initially will have fibre provided to their area making future connection easier. And as the Scottish Government have promised to “pay what it takes”, premises not connected in the first phase, will be by 2021. Work should start in summer 2019.</p> <p>Importantly, if LCC decided to go ahead with its own scheme, we would not be eligible for R100. So LCC, and the other Berwickshire Community Councils, have decided that there is no real option but await the outcome of R100. In addition to R100, the UK Government have promised 100% coverage by 2020. The details of how that will be achieved are even less clear.</p> <p>Village signs</p> <p>LCC is proposing to erect new Village signs alongside the roads leading in to each of the three villages. The aim is two-fold: to engender a village ambience that should hopefully reduce road traffic speed, and to give a sense of identity, i.e. that all three villages belong to an area known as The Lammermuirs.</p> <p>Planning</p> <p>There have been very few planning applications that LCC has been asked to comment on, and none of them controversial (except Windfarms). We also keep an eye on the SBC planning portal to ensure that we are aware of applications that we have not been asked to comment on.</p>	
<p>5. Treasurer’s Report</p> <p>CM circulated copies of the finalised accounts. One sheet detailed the End of Year Accounts 01.04.16 - 31.03.17, whilst the other showed the final position of the bank balance on the last day of the accounting year. The transactions for the year and totals of incomings and outgoings were unusual, because Fred.Olsen Renewables incorrectly paid a six monthly instalment into the LCC instead of the LCF account, which was subsequently rectified. The annual accounts have been independently verified by BAVS.</p> <p>CM made reference to ‘ringfenced’ sums and stated that some discussion about these would be raised as AOB in the ordinary meeting. FG asked if Broadband money was still needed. AD said that we were retaining it for the time being, in case there are unforeseen developments or RS100 does not address the problems we have in the Lammermuirs.</p> <p>AD thanked CM for her work as Treasurer.</p>	

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<p>6. Election of office bearers The office bearers stepped down at this point and MR took over the Chair to supervise the election of office bearers for the coming year. Both AD and CM had expressed a willingness to stand again in their roles as Chair and Treasurer. Accordingly, DM nominated AD and his nomination was seconded by CWh. AD then proposed CM as Treasurer, and this proposal was seconded by CW.</p>	
<p>7. Appointment of auditors It was agreed to appoint BAVS as the independent verifier of the accounts for the coming year.</p>	
<p>8. Agreement to abide by the Scottish Borders Council Code of Conduct for Community Councils AD explained the need for all Community Councillors to sign the Code of Conduct for Community Councils each year and passes around a sheet for signature. He undertook to gain the signatures of those not present at the meeting.</p>	AD
<p><i>The AGM ended at 8.02pm</i></p> <p style="text-align: center;">Ordinary Community Council Meeting</p>	
<p><i>Those present, apologies etc were as recorded at the beginning of the AGM.</i></p>	
<p>1. Welcome and apologies AD opened the ordinary Community Council Meeting.</p>	
<p>2. Minutes of the previous meeting held on 19th September 2017 The draft minutes were accepted as a true record of the meeting (CM proposed; DM seconded).</p>	
<p>3. Matters arising from the Minutes not dealt with elsewhere AD stated that all listed action points had been accomplished.</p> <p>MR mentioned that tomorrow there is to be a Parliamentary debate about Broadband in rural areas and suggested that the outcome might be pertinent to our local situation.</p>	
<p>4. Chair's report AD said that his report for this meeting would concentrate solely on wind farms, as there had been no other significant developments.</p> <p><i>Crystal Rig Windfarm IV</i></p> <p>The LCC has received a document entitled <i>Crystal Rig Wind Farm (Phase IV) Scoping Report</i>. The present consultation process is asking for any comments/complaints about the process Fred. Olsen Renewables have undertaken in preparing the report. AD and MR explained that this is the LCC's opportunity to see if there are any important local issues which have been overlooked, for example whether all local homes have been considered for noise/visual impact (particularly Upper Monymnut), and whether views, footpaths, sites of historic interest, vital sights for wildlife etc have been fully considered. CW suggested that each category be systematically reviewed.</p>	

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<p>AD circulated a photocopy of a map showing the positioning of the proposed turbines. Comments were made as follows:</p> <ul style="list-style-type: none"> • MR pointed out that aviation warning lighting might be an issue, as the proposed turbines are so tall. • Are we happy with the position of any sample viewpoints - for example from Henlaw at the Hardens? From there you see the full arc of the developments. AD commented that part of their argument rests upon the fact that the new turbines will create a smooth profile between existing developments if they are constructed. • Concern was expressed that some of the new turbines are 200m tall. MR commented that it is important to talk about 'scale', not 'height', as the proposed turbines will be bigger in every respect. They will rotate at a different speed to other smaller turbines. The appearance will be stacking - turbines superimposed one on another. • It was anticipated that Mayshiel will protest strongly, as there will be a big visual impact for the estate. • WD-Y commented that disruption to the landscape would not only be caused by the planned turbines, but by the considerable length of service roads proposed. • Comment was made that the new turbines are closer than ever to settlements at Cranshaws, Ellemford and Rigfoot. • The impact assessment on wildlife has not taken into account the presence of ospreys in the immediate area of the proposed turbines. • The hydrology report was carried out before the flash flood which occurred in July 2016, which caused a great deal of damage to the landscape and local roads. Since then further turbines have been erected or have gained planning consent. Photographs of the damage might be a powerful tool in arguing against the development. <p>Further general discussion raised other matters/thoughts:</p> <ul style="list-style-type: none"> • CW felt we should not give away too much in our initial response, but keep arguments against the development for use when the full planning process is triggered. • WD-Y raised concern about the effect on property values in the area. • Part of the agreement for Crystal Rig 1 demanded that a bird monitoring report be carried out at regular intervals. Results could provide valuable data. • CW highlighted that 'sense of place' can be used in an argument against further turbines. • The depth of the peat in the area is something that should be researched. • The LCC is the only community council who will be involved in fighting Crystal Rig IV. • There are issues about the ability of the Grid to cope with the increased power generation. 	
<p>AD undertook to respond to the Scoping Report taking these views into account.</p> <p><i>Fallago II</i></p> <p>AD has been trying to set up a meeting to negotiate some community benefit. He is awaiting a response which has been slow in coming.</p> <p><i>Aikengall II</i></p> <p>AD has agreed that the LCC would be willing to accept the proffered £50,000 per annum. He is hoping to settle this before agreeing to their Scheme of Community Liaison.</p>	AD
<p>5. Treasurers' Report</p> <p>CM reported that the bank balance presently stands at £4635.45. With just one cheque in transit, this leaves £455.45 in the kitty. The remaining £4,000 is being held in case the situation regarding Broadband changes.</p> <p>CM pointed out that AD was attending a lot of meetings on behalf of the LCC and</p>	

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<p>suggested he should claim travel expenses. This was agreed. She also mentioned that the Secretary to the LCC had been involved in extra hours of work in relation to Broadband and that WD-Y should be able to make a claim against the Broadband fund.</p>	
<p>6. Police report Police reports for September and October were presented to the Council. No incidents were reported, although a general update regarding the previously reported wildlife incident was given by P C Tennant as follows:</p> <p><i>In respect of the Wildlife Incident/ Enquiry we have reported on last month. I can further update you that work is ongoing, the SSPCA and RSPB were in attendance but are not now reporting any matters in respect of this incident, the Police are taking the lead and further charges will be libelled. We are awaiting forensic test results from animal carcasses prior to progression.</i></p> <p>General information was given about Borders Drive Wise, a young driver training initiative, and Operation Borders Reiver, a Home Office National Counter-Terrorism Exercise Programme.</p> <p>An enquiry had been received from a Rigfoot resident, Alison Hume, about whether any communication had been received from Police Scotland or the Duns Police about security and safety over the coming festive period. MR thought that it was likely that we would receive an email communication shortly. This information was no longer sent out via the post. WD-Y and CM to liaise with regard to forwarding any information received to the local Community via the 'Herald'.</p> <p>CW reported that some people had been seen loitering around in Longformacus. The tradesmen working at his property had photographs the number plate of their vehicle. The matter had not been reported to the Police.</p>	<p>WD-Y/ CM</p>
<p>7. Planning matters Since the last meeting one planning application has received approval, namely the alterations to the farm buildings at Cranshaws Farm.</p> <p>There have been two applications:</p> <ul style="list-style-type: none"> • Crystal Rig Wind Farm (Phase IV) Cranshaws Duns Scottish Borders TD11 3SR: Erection of 11 turbines, 4 no turbines up to 149m high to tip, 3 no turbines 174.5m high to tip, and 4 no turbines 200m high to tip and associated works. • An application for the formation of a new road for timber extraction from forestry plantations east of Harehead Farm Cottage. <p>The response to the Crystal Rig IV application will be as in 4 (above). With regard to the other, DM raised the matter of the route by which the timber extracted would be brought to the public road system. He undertook to look at the planning application and let the Committee know of any potential problems. There is money available to repair damage to the intersection of forestry tracks and public roads in these circumstances.</p>	<p>DM</p>
<p>8. Localities Bid Fund MR gave a brief resumé of the rationale underpinning the new Localities Bid Fund. This year 1% of the SBC budget will be open for bids from the local community. It is a new initiative and the ground rules are developing as the scheme is put in place. This form of participatory budgeting will grow in the future. Priorities for applications have been set in line with the Scottish Borders Community Plan and the SBC is working with the Electoral Reform Society to establish how a voting system on bids can be applied fairly.</p> <p>Applications from individuals are restricted to £5000. Anyone wishing to put forward a social enterprise bid for more can form a constituted group. Advice is available from BAVS.</p>	

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<p>9. Village boundary markers AD reported as follows:</p> <ul style="list-style-type: none"> • He had been to see Chris Green at the Greenlaw Foundry. He produced excellent examples of work. However, there was a mistake in his original; quotation, which should have given a total of £15,320. • He had sent a specification document to two other foundries. One had quoted £21,000, another only £7,500, but the sign specification was not comparable and was of very flimsy manufacture. The foundry mentioned by CW was unable to quote as they only produced wrought iron, not aluminium work. <p>CW felt that the Greenlaw Foundry quotation represented value for work of lasting, good quality. It was agreed that signs would give each village identity, discourage speeding and result in a united 'Lammermuirs' identity for the area. Forbes Gamley supported the idea wholeheartedly. It was pointed out that we would need to speak with Mr Charles about the use of any area of verge beyond the 1 metre which belongs to the SBC.</p> <p>Agreement was gained from those present that the LCC would now look at positioning of the village signs and AD agreed to do this in consultation with others. The Roads Dept at the Council may be able to give agreement, or a planning application may have to be made. In either case, it was firmly agreed that once these hurdles had been overcome, the Greenlaw foundry would be given the work. AD will make an application to the LCF for the funds at the next meeting.</p>	<p>AD</p> <p>AD</p>
<p>10. Correspondence received WD-Y reported that she had forwarded all correspondence to Councillors as and when received. The substance of two recent emails had been mentioned in 6 and 8 above.</p>	
<p>11. Any other business The following matters were raised:</p> <ul style="list-style-type: none"> • Forbes Gamley mentioned that some white lining has been undertaken in Longformacus. • CW said that some potholes had been patched. • CM raised the importance of some of the smaller roads in the area being gritted in cold weather. Grit boxes have not been topped up this year as yet. MR had forwarded a winter gritting plan to WD-Y, which she agreed to send out to the whole community. • AD had been given 4000 dog poo bags at a recent meeting. WD-Y will send out an email to the local Community 'advertising' them. • The website had not been on the agenda this time. Keith Noddle has acknowledged that he does not have the time to put into the development of the website at present due to heavy work commitments. CM has approached Paul Bright (Ellem Old Inn), but they are experiencing serious problems with internet access. AD has asked him to say by the end of December if he is able to undertake the job (for a fee). If he cannot commit, AD and WD-Y will approach local web companies to gain quotations for the work. • Bin collection calendars have been placed on the bins. A printable calendar is available from the SBC website. CM undertook to email this around to everyone. <p>A longer discussion was had in response to a constructive conversation AD had had with TH prior to the meeting, which TH had been unable to attend. The conversation had centred upon the way forward for the Community Council, with TH putting forward various ideas and possible priorities. In particular, he expressed concerns about the way money from the wind farms is being spent and felt that the views of local residents about priorities and ideas should be sought. He considers that there is need to identify larger projects of real use to residents. AD had asked him to put down his ideas in an email, which he had done, and AD summarised these.</p> <p>There was some agreement about the need to identify better uses for the LCF money. MR pointed out, however, that the LCC and LCF have different functions. The LCC has done a</p>	<p>WD-Y</p> <p>WD-Y</p> <p>AD/ WD-Y</p> <p>CM</p>

Agenda Point	Action
<p>good job in the past with regard to fighting wind farm applications and dealing with Broadband issues. The LCF had not been set up for the use of the LCC, and the LCC's role is not to form its own strategic policy. It is there to canvas, represent and perhaps to find a way forward, but not to implement it. Forbes Gamley felt that we shouldn't be wasting wind farm money and agreed with TH's proposal of a strategic plan. CM commented that a survey of local opinion had been undertaken in the past, but some time ago now. CW expressed a view that some people do not want change in the area and might be resistant to any sort of plan. CWh suggested that the purchase of a community bus would be a good use of LCF funds.</p> <p>As a result of their discussion, AD had suggested to TH that he might like to take on the currently vacant position of Vice Chair of the LCC. TH had given this some thought and had expressed a willingness to do this, provided he could be given a specific task, for example the co-ordination of a community survey. He has relevant experience through his work. AD felt that the matter could be discussed and progressed at the next meeting, which hopefully TH would be able to attend.</p>	
<p>12. Date of next meeting Now that the work on Cranshaws Village Hall has been completed, the next meeting will be held there on Thursday 1st February 2018.</p>	