

Minutes of the Lammermuir Community Council Meeting
Wednesday 26th July 2017 at 7.30pm
Longformacus Village Hall

Present:

- LCC Members: Alistair Dawson (Chair), Corinne Mycock (Treasurer), David Mycock, Tony Homer, Carol White (CWh), Cheryl Philipson, Bill Landale, Clive Warsop (CW), Bill Renton (co-opted member)
- SBC Members: Mark Rowley
- Secretary to LCC: Wendy Dawson-Young
- Members of the public in attendance: Forbes Gamley

Apologies:

Keith Noddle (LCC), Donald Moffat (SBC), John Greenwell (SBC)

Agenda Point	Action
<p>1. Welcome and apologies AD welcomed all present and thanked CW for setting up the hall. Apologies were noted as above.</p>	
<p>2. Minutes of meeting held on 30th May 2017 The minutes of the last meeting were accepted as a true record of proceedings.</p>	
<p>3. Matters arising AD reported that the confidentiality agreement with North Skye Broadband had been signed, witnessed and returned. This would allow sharing of information and co-operation between the LCC and North Skye Broadband.</p> <p>CM will contact the Chair of the LCF regarding the ring fenced funds for the Broadband Survey (£9000), not all of which will be needed following a revised quotation from Bob Cushing of £5000.</p> <p>LCC Members had reviewed applications to represent the LCC area on the Blackhill Wind Farm Community Fund board. John Clark was the successful candidate and his details have been forwarded to Sharon Conroy.</p>	CM
<p>4. Constitution and Code of Conduct for Community Councils Office bearers agreed to sign the Constitution at the end of the meeting. WD-Y will send the document to Pauline Bolson. Those present were reminded of the Code of Conduct giving guidance to all Community Councillors.</p>	WD-Y
<p>5. Chairman's Report AD stated that he wished to report on two specific issues: Broadband and the Fallago 2 Wind Farm Local Public Enquiry (to be held in August). He would report on these matters under Points 8 and 9 of the Agenda.</p>	
<p>6. Treasurer's Report CM reported a bank balance of £4695.19 on 30th June 2017, with no cheques pending payment. Monies held are accounted for as follows:</p> <ul style="list-style-type: none"> • Community Council funds - £815.09 • Walking Fund (ring-fenced) - £1880.00 • Public Arts Strategy (ring-fenced) - £2000.00 	/6 contd ...

Agenda Point	Action
<p>... 6 contd/ There continue to be sums held (and ring-fenced) by the LCF for the LCC to draw upon:</p> <ul style="list-style-type: none"> • Community Survey and Events - £3240.00 • Broadband Survey - £9000.00 (of which £2500 has been paid in advance to Bob Cushing). Another £2500 will be required to settle this account. The total of £5000 includes VAT. • Public Arts Strategy - £13000.00. This is a large ring-fenced sum and its continuing lack of use is bound to be raised at the next LCF meeting. 	
<p>7. Police Report WD-Y informed Councillors that as no report had been received since the beginning of May, she had contacted the Police to request a report for the meeting. She briefly summarised matters contained in the Foreword and Ward Priorities sections of the report. The only specific incident of note reported was Police attendance at the recent Audio Soup music festival, held at Cranshaws.</p> <p>The lack of any mention of a Police investigation into an incident in Longformacus regarding a possible infringement of laws protecting wildlife was queried and discussed. This investigation had been reported in the local press. WD-Y undertook to follow this up with the Police to request information.</p> <p>There had not been a major Police presence at Audio Soup. Due to Cranshaws Village Hall being closed at present, they had used the School House as a base. BL reported that the Police had been impressed with the way the music festival was run.</p> <p>WD-Y volunteered to contact the Police to request that reports are sent regularly in future.</p>	<p>WD-Y</p> <p>WD-Y</p>
<p>8. Broadband update AD went to Berwickshire Broadband Meetings on the 9th and 27th of June. The option for Berwickshire CCs to join Border Broadband has now been withdrawn. LCC are still in the Community Broadband Scotland (CBS) Berwickshire project with Abbey St Bathans, Bonkyl and Preston, Cockburnspath and Gordon and Westruther. The original SAPC has since been expanded. All LCC postcodes are now covered other than the five in Longformacus. CBS stated, that due to no further funds being made available from CBS and none yet committed from private sources, funding per premise will dilute with more premises. Therefore, a decision needs to be made on where the available funding will be used (i.e. the project intervention area). CBS is waiting for the R100 SAPC to be issued before CBS can request premise data, confirm the intervention area and issue the Berwickshire SAPC. R100's SAPC has delayed issuing its SAPC.</p> <p>In parallel to this CBS has received feedback from tender responses to live CBS project procurements indicating that budget allocations have been too low for full coverage of project areas. Some tender responses have shown a low percentage of premises covered as a result. CBS is aware of the budgetary constraints. However, considering the outcome of the current live project's tender responses, it's worth bearing in mind their funding has not been close to sufficient for 100% coverage. CBS has made a request to the Scottish Government for additional budget to address this.</p> <p>Independently of the other CCs, LCC has commissioned a feasibility study from Bob Cushing (BC). The survey was done on 9 July. David Lochhead (DL) and AD went with him. His full report is due. However, he did indicate that he thought the fibre option would be prohibitively expensive. He would look into a way of covering all properties with radio, which would deliver 30-50 MBS, using backhaul from the Hardens' mast. He also pointed out that, even if we manage to fund the infrastructure, generating sufficient revenue to</p> <p style="text-align: right;">/8 contd ...</p>	

Agenda Point	Action
<p>...8 contd/ maintain the system will be difficult with our sparse concentration of properties. Initially, only about 30% of properties are likely to volunteer to switch, until the system has proved reliable and viable. Properties in Longformacus with BT superfast, are less likely to switch.</p> <p>So, there is a dilemma. We can possibly afford point to point radio, but will not be able to generate running costs. We probably can't afford full cable, but would be able to run it. We may just have to wait and see how R100 pans out, or whether government policy changes.</p> <p>North Sky Broadband has announced that it will no longer be progressing an application for State Aid funding from Broadband Delivery UK (BDUK) and Community Broadband Scotland (CBS). Their view is that the existing State Aid schemes are not fit for purpose because they are designed to support the provision of as many wireless networks as possible, as cheaply as possible, and as quickly as possible. The State Aid rules also require that such networks should be "future-proof", but in their opinion they are clearly anything but. Ironically, until the Chancellor's 2016 Autumn Statement and the establishment of the Digital Infrastructure Fund, BDUK would not approve any State Aid application that specified optical fibre as the network medium. Now, they are crying out for commercial providers to build fibre networks, but continue to refuse to fund community-owned networks.</p> <p>A general discussion followed, the main points of which were:</p> <ul style="list-style-type: none"> • If we were to go down the CBS funding route, it would need to be clear whether they can truly deliver a satisfactory service. • CM highlighted the problems associated with a radio system. Others agreed. • MR said that the situation is changing all the time. The Scottish Government has now given the R100 promise to provide better Broadband for all by 2020/21. It is not clear how this would be achieved, but possibly by allocating more funding to CBS. • CP felt there we should not even consider a radio or point to point system. The cost of fibre may ultimately not seem so prohibitive. She felt we could borrow money against wind farm income to cover costs. This would be of benefit to the community as it would increase property prices in the area. We need to look at companies who might get involved. There may be an option to sell an 'up-and-running' system back to BT. • Forbes Gamley asked if the £1 million pound rough estimate for fibre was based on a contractor installing the cable and if the cost could be reduced by community involvement. We will know more when the report is received. • BL asked if 5G might be considered. It would give good speed but is a long way off for an area such as ours. Also, masts are on hills and homes in valleys. • CM mentioned the possibility of raising funds by other means, e.g. the Lottery Fund. • CW mentioned the need to keep the local population informed of our thoughts and reasoning. Following his survey, Bob Cushing is happy to speak at a public meeting if and when we decide it is appropriate. <p>It was concluded that there are three ways forward:</p> <ol style="list-style-type: none"> 1. To go all out to install a future-proof fibre system 2. To compromise with radio / point to point links 3. To sit back and wait until the situation regarding Scottish Government policy, R100 and CBS funding becomes clearer. <p>8.1 Broadband Sub-Committee It was agreed form a small group specifically working on the matter of Broadband provision. This would be called the Broadband Working Group. It will meet as necessary between /8 conted ...</p>	

Agenda Point	Action
<p>... 8 contd/ Community Council meetings and report back. It was agreed that it would have no decision making powers. Members will be Alistair Dawson, David Mycock, Cheryl Philipson, Bill Renton and Bill Landale, with David Lochhead as a co-opted member of the working group. CM offered back-up support if WD-Y was overloaded.</p>	
<p>9. Planning Matters</p> <p>9.1 Planning applications No planning applications had been received. It was noted that only significant applications would be sent to the Community Council. WD-Y will search the SBC Planning Portal to check for smaller applications and will set up an automatic search so that we are informed of any applications in the area.</p> <p>9.2 Windfarms It was noted that present LCF funding comes from Crystal Rig 1 and 2 (Fred Olsen). Aikengall 1 promised funds to other Community Councils, which was never actually paid. Aikengall 2 has £300K to distribute and we have agreed to a share of £50K, index-linked. However, we will need to be very careful in negotiating an agreement. AD is in contact with Victoria Dobie in Abbey St Bathans about this, as they are working on the terms. If necessary, we may have to take advice from a solicitor. The next step will be for the four CCs involved to get together and look at the draft documents. There has been little progress recently as the turbines are not yet generating and the company is preoccupied with Grid connection issues.</p> <p>TH asked about the control wind farm companies exert over the funds allocated to communities. They do retain the right of veto to any funding request, this has never been used by Fred Olsen to date.</p> <p>There is a public local enquiry about Fallago 1 & 2 in August. The LCC submitted an objection some time ago. AD was not party to submission, but reviewing the documents it seems the objection centres upon the visual impact and lack of need for further green power generation in the area. AD has recently received a communication from Fallago asking who will be representing LCC and names of witnesses we will be calling? MR explained the background to the enquiry. The Lauderdale Preservation Group and Lauderdale CC have same Chairman and are heavily involved. The Burncastle Estate have also committed quite a lot of effort to fighting Fallago 2. The public local enquiry is reviewing Scottish Borders Council's objection. There are issues about utilisation of the power that might be generated as the Grid is quite 'fragile' downstream of Torness Nuclear Power Station.</p> <p>AD asked if LCC members want him to represent CC at public enquiry. He has never attended one before. MR advised that the Chief Law Officer at SBC has advised that he (MR) can still be part of the enquiry, and he is happy to attend with AD. We could hire John Campbell again, if he were available, but at a cost. CW commented that all representation made at last enquiry was 'written off' in two paragraphs in final report. A vote was taken on whether MR should be asked by LCC to represent us, which supported his taking on the role. He would only be able to argue under the objection as lodged. The LCC has been asked if it is representing other local CCs. The LCC seems to be taken as the 'lead' for the three CCs involved. MR will read emails before liaising with AD to make a decision about how to act on this. MR also suggested we consider the calling of witnesses when we know who is giving evidence for local estates and landowners.</p>	<p>WD-Y</p> <p>AD</p> <p>AD/MR</p> <p>MR/AD</p>

Agenda Point	Action
<p>10. Village boundary markers AD has received an estimate from Greenlaw Foundry giving a cost of £8000 for six signs. Some considered this to be quite expensive and it was agreed to get two further quotations before making an application to the LCF. CWh undertook to give AD the details of a company doing this kind of work. It would be helpful to see a sample of the type of casting Greenlaw Foundry propose for the signs. AD will contact them about this.</p> <p>CM commented that there are enough signs around villages, but the CC had already agreed the principle. We still need to finalise artwork and various options were discussed.</p>	<p>CWh AD</p>
<p>11. Correspondence WD-Y read or gave a brief resumé of ten emails/letters received since the last meeting. She will forward information to be followed up as below:</p> <ul style="list-style-type: none"> • Plant a Tree Charter Legacy Tree - to be forwarded to BL for consideration. • Borders Transport Corridor Study - AD to complete on behalf of the CC. WD-Y to forward link to the local community via 'The Herald' so that individuals can respond. • Scottish Borders Main Issues Report: Call for sites - it was decided to submit the present sawmill site in Rigfoot as a possible site for development after discussion with Melvin Landale. AD/WD-Y to action. • Tesco Bags for Help Funding Scheme - WD-Y to forward information to the secretaries of the Village Halls. • Health and Social Care Locality Plans - WD-Y to forward details to TH and BL for possible comment upon consultation documents. <p>It was noted that the recently issued SBC Programme of Planned Revenue and Capital Works 2017/18 includes 'surface dressing patching' to the B6355 Ellemford Bridge - Winshiel, and that the D1/6 Longformacus to Ellemford has been added to the 'Short Overlay Schemes'.</p>	<p>WD-Y BL AD WD-Y AD/ WD-Y WD-Y TH/BL</p>
<p>12. Any other business CM read an email she had received from Colin Barr of Smiddy Hill regarding noise levels at unsociable hours (until 5 am on one night) from the Audio Soup music festival. He had made enquiries about the times on the licences issued by SBC and the policing of the terms of the licences. It was agreed that WD-Y would contact Mr Niven, Licensing Officer, to request some consultation with the LCC prior to the issue of licences next year.</p>	<p>WD-Y</p>
<p>13. Date of next meeting The date and time of the next meeting was set as Wednesday 20th September at 7.30pm. If the work to eradicate the dry rot at Cranshaws Village Hall is complete by then, the meeting will be held there. Venue to be confirmed before the meeting.</p> <p>Note: Following the meeting minuted here, comment was made about the late finish time. AD thought the extensive discussions were useful and formed a base-line of helpful information for him. However, at the next meeting, every effort will be made to keep the discussion focussed and the meeting to two hours duration. The co-operation of all attending should make this possible.</p>	<p>WD-Y</p>