

Lammermuir Community Council Ordinary General Meeting

Wednesday 25th October 2023 at 7:30pm via Teams

Minutes

Present: Councillors:

Bill Landale (Chair) (BL), Tony Homer (Vice-Chair) (TH), Alastair Gordon AG), Clive Warsop (CW), Anna Dabrowska (Treasurer) (AD), Morag Rodger (MoR), Cllr Mark Rowley (MR)

Minute Secretary: Dianne Repsch (DR)

Residents: Alison Landale (AL)

Agenda

1. Welcome and apologies:

BL welcomed everyone to the meeting.

Apologies had been received from: Cllr Donald Moffat (DM), Adam Prokopowicz (AP), Cllr John Greenwell (JG)

2. Matters Arising:

a) **Minutes of previous meeting held on Wednesday 30th August 2023** - BL confirmed that the Minutes of the previous meeting have been approved as a true record of the meeting and have been published on the Lammermuir website.

b) Action Point Document from previous meeting:

Action Point 1: Letter to Fred Olsen has been drafted and ready to be sent. The letter is asking if there will be more community benefit funds because of the solar panel addition to the Crystal Rig site.

Action Point 2: Further details in Item 10

Action Point 3: Email to BT Openreach sent to find out about fibre plans for the LCC area but no reply received. Agreed DR to try using the postcode checker for the postcodes in the LCC area. Also to make contact with Go Fibre.

Action Point 4: Further details in Item 7

Action Point 5: Completed

Action Point 6: Completed

Action Point 7: Completed

Action Point 8: Withdrawn

Action Point 9: Completed

Action 1: Letter to be sent to Fred Olsen - DR

Action 2: Complete BT Openreach postcode checker - DR

3. Treasurer's Report:

Bank Balance as at 25/10/23	£1,754.92
Payments out (in transit)	£0.00
Payments in (in transit)	£0.00
SBC COVID-19 Funding (absorbed)	£0.00
Walking Fund (partially absorbed)	£1,000.00
COMMUNITY COUNCIL	£754.92
<u>(LCC PROJECT FUNDING – RING FENCED AT CELCA)</u>	
Defibrillator (incl AED training) (no change)	£884.47
Community Broadband	£1,000.00
Community Website	£617.45
Community Emergency Fund	£8,262.50
LCC Admin Costs	£2,000.00

AD raised how LCC could obtain the funds ring fenced with CELCA as AD believed LCC should not be raising invoices as LCC were not providing a service or selling products. AD would like to have clarification from an accounting and legal perspective if LCC should raise an invoice to release the funds from CELCA.

A discussion took place and the following points were raised:

- It was suggested that LCC was delivering a service to the community that CELCA serves
- LCC provide CELCA with trustees from LCC to sit on their board so they are providing a service

Action 3: DR to contact CELCA to help resolve this issue

4. Planning Applications:

None received since the last meeting.

5. LCC's Requirement to Become CELCA Trustees:

TH raised this item as there had been numerous discussions regarding the CELCA Constitution and the question had been raised about whether community councillors should automatically be required to be trustees of CELCA. In particular because of the number of community councillor trustees relative to CELCA trustees which should not be higher than the number of CELCA trustees. Another issue is that by requiring Community Councillors to automatically be CELCA trustees this could put people off becoming community councillors because of the additional burden.

A discussion took place and the following points were raised:

- Could the community council give an option with it not being compulsory to opt in
- The number of community councillors LCC provide to CELCA could be limited
- By limiting the number of Community councillors CELCA may then not be quorate at their meetings
- 4 community councillors not named so that a community councillor could be substituted if one of the

4 could not attend.

- Currently the community councillors have the majority on the CELCA board
- Suggestion was to reduce the number of community councillors to 7 and have 8 CELCA trustees so a total of 15 trustees.

Action 4: TH/DR to write a formal letter to CELCA to propose a change in the number of community councillors trustees on the CELCA Board from 10 to 7.

6. Winter Fuel Support:

The winter fuel support that has previously been offered to the residents of LCC is not so straightforward this year as the charity regulator has warned that LCC/CELCA must be able to prove that there is a need for the winter fuel support.

TH clarified that the issue is with OSCR and not the wind farms as CELCA is restrained because of its charitable status. LCC/CELCA need to have a clear mechanism to follow as to how each claimant's eligibility is determined.

Action 5: TH to draft a policy that is acceptable to LCC and send to CELCA to assist with resolving this issue.

7. Land's End to John O'Groats Motor Event 4th December 2023:

A letter was received from Le Jog events advising the community residents of Britain's longest and toughest road event for historic and classic motor vehicles and was circulated to the community councillors prior to the meeting. The event is being organised by Le Jog in accordance with the Motor Vehicles Regulations for competitions and trials. The proposed route passes through the neighbourhood on Monday 4th December for approximately an hour or so. The event is not a closed road event and the cars will be travelling at 30mph and below and roads remain open for residents.

Action 6: DR to send a notice to the Herald regarding this event

8. Longformacus Lychgate War Memorial:

Cllr Mark Rowley reported that there had been some progress as the War Memorial Trust had agreed to send a Conservation Officer to look at the Lychgate Memorial and MR is just waiting on a date. Still needed is a conservation architect to draw up plans so that the 3 quotes required are to the correct specification. MR has completed a pre-application to see if our project is viable, funding rounds are 3 times a year so hopefully the application will be submitted in March 2024.

9. Lees Hill - Community Liaison Group:

An email was received from Kirsty Leiper from Fred Olsen with regards to a representative from LCC being part of a Community Liaison Group for Lees Hill Renewable Energy Park which is located 5km west of Duns. The draft terms of the CLG were circulated prior to the meeting and the first meeting is expected in November/December 2023.

MR suggested that LCC should have a community councillor representing LCC as this is a complex development and will have more impact for LCC and its residents than some of the other local community councils. The Heart of Duns and Borders for Action have also been invited to the CLG.

Action 7: DR to advise Fred Olsen that MoR will represent LCC on the CLG.

10. Update from Community Councillors:

Paths Maintenance Grant:

DR confirmed that a confirmation had been sent to SBC letting them know that a claim for the grant of £450.00 would be submitted by LCC. A quote had been received for the work on the gate and cutting back of the gorse on the walk from Ellemford to Abbey St Bathans and this would be carried out. LCC would pay for the work using the walking fund and DR would submit a claim for the £450.

Bins Recycling Missed Collections:

Draft letter from AG to SBC on the missed bin collections has been prepared and awaiting further amendments from TH, which will be sent to DR. The letter will be sent by BL as Chair.

MR confirmed that he has raised this issue with SBC repeatedly. Rather than spend time doing refunds for missed collections it is more likely that the contract period would be extended. The missed bin collections appear to be more frequent due to staff not showing up for work and the lack of drivers with HGV licences and also vehicle failure due to the age of the fleet. There are also a number of missed collections because there may be a new driver who is not familiar with the route and clusters of bins are missed.

It was established that the bin collections are all carried out internally and the draft letter will need to be re-drafted to reflect this.

A discussion took place and the following points were raised:

- The majority of people do not have storage capacity to store uncollected recycling waste
- Would it be possible to be provided with a larger bin or an additional bin
- Should LCC request funding from CELCA to provide additional bins
- The notifications received after missed collections do state that the contractor will pick up additional bags if left out.
- Additional bags are not vermin proof
- There could be missed collections due to the road conditions now that winter is approaching
- It is unlikely that extra bins would be provided due to the capital outlay this would involve

Action 8: DR to collect final comments before letter is sent to SBC

11. Correspondence Received:

The following correspondence had been received and circulated to the Community Councillors:

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

Electricity Act 1989: Application for Section 36 Consent for the Proposed Dunside Wind Farm in the Planning Authority Area of The Scottish Borders Council.

On 16 June 2023 the Scottish Ministers received an application from Land Use Consultants on behalf of EDF Energy Renewables Ltd ("the Applicant") for the Scottish Ministers' consent under section 36 of the Electricity Act 1989 to construct and operate the Dunside Wind Farm located approximately 6 km north of Westruther and 7 km west of Longformacus in the Scottish Borders, Scotland. The Development applied for included up to 15 wind turbines of up to 220 metres and associated infrastructure.

MR suggested that if the community council thought the project was detrimental in any way to the LCC area they should be submitting a response.

Action 9: DR to draft a reply confirming that LCC would like to give notice that LCC as a consultee on the development would like to be kept informed and that although LCC does not have a view at

the current time it may have a view in the future which LCC would like considered.

Letter received from concerned parents: Appendix 1

Duns Primary School playground (which has over 350 children) has one set of play equipment, which is located by the basketball courts behind the Rugby Club. This is a small “trim trail”, and it is used by the primary school children, also the Out of School Hours childcare centre (“Allsorts”). It is also sometimes used by Duns Primary School Nursery. The play equipment in parts is wobbly and unsafe, also during wet weather the whole area floods because the drainage isn’t working. This renders the entire area unsafe to use, often for around 6 months of the year. Full letter under Appendix 1

MR confirmed that he has sent an email to a couple of senior officers for a response but there is a budget process SBC have to work through it and there are limited funds.

Action 10: BL & DR to write a letter on behalf of LCC to express concern regarding this ongoing drainage issue

12. Any other Business:

AL joined the meeting to let everyone know the plans for two social events on Friday 17th November for a community social with The Blu Pizza Van serving freshly baked pizzas at Longformacus Village Hall and a community lunch at Cranshaws Village Hall on Saturday 18th November. Postcards will be sent out to invite the community to attend.

13. Date of Next Meeting:

Annual General Meeting followed by Ordinary General Meeting: Wednesday 6th December 2023 at 7.00p.m. Longformacus Village Hall.

Meeting closed at 21.15

Appendix 1:

Duns Primary School playground (which has over 350 children) has one set of play equipment, which is located by the basketball courts behind the Rugby Club. This is a small “trim trail”, and it is used by the primary school children, also the Out of School Hours childcare centre (“Allsorts”). It is also sometimes used by Duns Primary School Nursery. The play equipment in parts is wobbly and unsafe, also during wet weather the whole area floods because the drainage isn’t working. This renders the entire area unsafe to use, often for around 6 months of the year.

The consequence of this is that children have a much smaller area on which to play and they have no play equipment to use. There is very limited staff presence available during break times, and bullying has been increasingly reported at the school during playtimes. A trim trail offers a natural diversion and “flow” for children to direct their energies, and is an invaluable resource for any school – especially large schools like Duns PS, and especially where staff presence at playtimes is limited.

I am on the Parent Council Group, and since I joined the group in July 2022 I have been asking SBC to fix the drainage and the play equipment. I have emails showing this, and correspondence with Neil Pringle (Parks & Environment Operations Manager) stating that they would fix the drainage and the equipment because grounds and maintenance are within their remit. Neil came to visit the site on 17th November 2022, with myself and the Head Teacher of Duns Primary and committed to having a proper survey done of what was needed and fixing the drainage. To date

nothing has happened despite my sending repeated emails, and he has now stopped replying to my emails at all.

On 6th September 2023 I attended the "Community Conversations" meeting at Berwickshire High School, to raise this issue and ask the Council to fix the drainage in this area. Among other Councillors and senior officers of the Council, were Lesely Munro (Head of Education for SBC), and John Currie (Director Infrastructure and Environment). Everyone present agreed that it was extremely important that the drainage should be fixed, and that this was the responsibility of SBC to do so. They all agreed the trim trail is a right that school children should have access to and could see the benefits it has, especially in such a large school and when other children out-with the school also use it. John Currie is Neil Pringle's boss and he said he would raise it with the team and ensure it was dealt with as quickly as possible. John said he would update me the next day, but I did not hear from him. On 8th September 2023 I emailed John Currie thanking him for the meeting and asking if he could please keep us updated. He replied saying that he had raised it with the team that morning and was awaiting an update from them but will report back. However I haven't heard from him since. I emailed again on the 11th October 2023 asking if he could update us but he has not responded.

We feel so frustrated and let down by the Council, and bitterly disappointed that we are now going into the rainy season and soon the play equipment will be unusable again for lengthy periods of time. It affects the children's health and wellbeing, and the daily stress levels of staff trying to manage huge groups of children during break time.

Parents of children aged 9, 6, and 3 at Duns Primary School and Duns Primary Nursery