

**Minutes of Tweedsmuir Community Council, at Tweedsmuir
Village Hall, on Thursday, 7 September, 2017 (7.30pm)**

Present: Brian Bushell (BB, vice-chairman and treasurer), Paul Greaves (PG, secretary), community councillors Rod Sibbald (RS), Lesley Mason (LM), Lesley Kirkwood (LK), Ralph Glatt (RG). Eric Small (ES, Scottish Borders Councillor) 6 members of the public.

The minutes of the council's meeting on 3 August were approved

01.00 APOLOGIES

Chairman Gavin Parker and police representative Nicola Craig

02.09 MATTERS ARISING

There were no matters arising

03.09 BROADBAND

RS said he had been contacted by Ms Jan Noble, a Broughton resident, who had applied to set up a BT Community Fibre Partnership scheme for homes in her area whose broadband speeds have not been improved by the introduction of a superfast cabinet in the village (a BT representative will meet with Broughton residents at Broughton Village Hall on 25 September). RS reported that Ms Noble had asked whether Tweedsmuir would consider incorporating some outlying homes in the Broughton area into its partnership scheme.

Councillors were keen to offer any help and advice they could to Ms Noble, but felt that, as the scope of the Tweedsmuir scheme had now been agreed, any changes could delay the BT partnership plans, which had already taken a considerable amount of time to reach this point. On the scope of the Tweedsmuir scheme, RS reported that BT had contacted him to confirm that the eight clusters - as mentioned by the BT representative at August's meeting - included all areas of Tweedsmuir.

RS reported that, some time ago, TCC had written to SBC to clarify whether the TCC could enter into agreements/contracts with organisations like BT. The SBC had replied:

Dear Mr Sibbald

I refer to your enquiry regarding the above and apologise for the delay in gathering the information together and getting back to you.

In response to the questions raised in Mr Parker's letter I am advised as follows:-

1. The community council is able to apply for/receive funds from wind farms and other grant-making bodies. Claire Penny, the Council's Funding Officer, can work with you to apply to appropriate funders if this support is required. The project itself, and possibly funders, may dictate the insurance cover and legal advice required. If the Community Council feels that it requires legal advice they should seek it themselves as unfortunately the SBC Legal Team are prohibited from providing this to external organisations – and this includes community Councils.

General insurance cover is provided by Zurich and paid for by SBC. This includes money, basic public liability and employers' liability insurance cover as well as personal accident cover for

employees, committee members and volunteers. Any premiums over and above this can be added with the community council covering the additional cost (contact: Colin Strugnell, City of Edinburgh Council Insurance Team

2. Unfortunately, as far as I can ascertain, there isn't a model that the Community Council can use to take this project forward. However, I would recommend that you speak to other community councils that have been involved in something similar; e.g. Heriot CC , who I believe also used wind farm money for their project. It would also be worth speaking to the people involved with Borders Community Broadband. Again the community council would be required to identify its own legal support if and when required.

3 Would again suggest speaking to Heriot Community Council. Whitsome set up their own community broadband, although it was a community project rather than a Community Council one it still faced the same type of issues. There is a presentation on the web which may be of interest. The village broadband has been successfully operating for a few years now.

RS said that, since the letter from SBC, he had contacted Heriot broadband scheme organisers, who had replied that they had set up a company to deal with their broadband scheme and had not involved the local community council.

Councillors agreed that it was still unclear whether the TCC was a legal vehicle to take the project forward, but Duncan Davidson, chairman of the Tweedsmuir Community Company, said the company may be able to help in this respect. It was pointed out that this could result in a conflict of interest in that the community company was also raising money for the Crook Inn development, and councillors agreed that further investigation was needed.

RS said he had also written to BT asking for clarification of certain aspects about the partnership, including whether BT had taken part with a community council in such a fibre partnership before, and whether BT would be able to provide a sample of any contract needed to be signed.

ACTION: Contact Ms Noble, explaining the TCC position.

The community company's articles to be sent to the secretary

Ask SSE for its views on the community company taking the broadband scheme forward and whether there would be any conflict of interest with regard to funds for the Crook Inn

04.09 FRUID ROAD/PATERVAN BRIDGE

PG said he had received this update from David Richardson, of SBC, about the plans for the Fruid Road development.

In relation to the whole Strategic Timber Transport Scheme within SBC, we have almost completed the detailed design of the majority of the individual projects. This has allowed us to obtain more precise costings and we are currently working on the final detail of the works to be undertaken. There is currently no envisaged changes to the extent of the works on the Fruid road and there have been meetings with the agent of the adjacent land owner to discuss the locations for passing places and drainage ditches etc. I would hope that during the next two to three weeks we have some dates of when individual works will be programmed and we will certainly share that with you and the community once it is available.

I'm sorry that I can't be any more precise at this time, but hope that the above information allows you to update your Community Council.

PG said he had also received a copy of an email sent by Tweedsmuir resident Kirsty Stephens to Scottish Woodlands, complaining about damage to the road's verges and mud on the road caused by recent logging activity. Ms Charlotte Cavey-Wilcox, of Scottish Woodlands, had responded and promised to look into the matter, but hoped many of the problems would be solved when the proposed Fruid Road improvements were complete. Ms Cavey-Wilcox had expressed the opinion that Scottish Power, who are also using the road, might have exacerbated the problem, but another resident who lives along the Fruid Road, Samantha Billingham, said this was unlikely as SP traffic was only light vehicles.

On Patervan bridge, PG reported that work had begun on the tracks, and that the new bridge should be installed before the end of September.

05.09 CROSSROADS DEVELOPMENT

Volunteers were still needed to form a sub-group to take this project forward. Anyone interested should contact the secretary at pgreavesalex@gmail.com or by phoning 01899880265. Councillors also agreed that the SBC should be contacted to see if they would undertake the work. BB reported that he had contacted Jason Hedley, of SBC, about whether they would fund a new noticeboard at the crossroads, but was still awaiting a reply.

06.09 TOUR OF THE BORDERS

Two local residents of Tweedsmuir, Mr. Paul Greaves and Mr. Brian Bushell, experienced difficulty travelling on the day despite adjusting their travel times to avoid road closure and more significantly being prevented from using a part of the road that was not affected by the event. Further details are as follows:-

Mr. Greaves works in Edinburgh and on most Sundays travels north on the A701 from its junction with the minor road connecting it to Tweedsmuir. However, on the 3rd of September (due to the road closure) he planned to travel to Edinburgh by going south towards Moffat on the A701, join the M74 and travel north to the next junction at Abington and join the A702 and then proceed towards Edinburgh. However, despite being at the Tweedsmuir junction with the A701 20 minutes before the planned closure of the road at 0735 hours he was unable to turn left and head south - away from the event's route - as there were bollards placed across the A701. He was informed by a Contraflow employee in the presence of a marshall, that the road was closed and that he'd have to retrace his steps back towards the village on the minor road and then head towards St. Mary's loch and join the A708 leading to Moffat.

Mr. Bushell also experienced the same difficulty when attempting to attend a family event in Carlisle. Like Mr. Greaves he allowed for the road closure and arrived at the [A701 junction 10](#) minutes before the planned closure and was given the same information and despite repeated attempts to reason with the Contraflow employee (with a Marshall present) was informed that

the Police would prevent him from travelling south on the A701. He, too was advised to travel towards Moffat on the A708 via St. Mary's loch.

This he did and on arriving at the junction by Cappercleuch and the A708 was met by bollards preventing him turning right towards Moffat and being informed by a marshall that the road was closed, he remonstrated with the official and explained for the second time that he was wishing to travel on a road that was outwith the route and therefore not interfering with the event. After explaining that he had been directed to travel this way and seeing a car travelling back to Moffat (having been obstructed by the bollards), he persuaded the marshall to move the bollards and let him through.

These two experiences show that apart from inconveniencing local residents - contrary to most of the press coverage, which show how advantageous this event is to the local economy - the information given by the Contraflow employee was a) potentially dangerous; by directing drivers onto the route instead of aiding them to leave, b) unreasonable by not allowing them to pass and c) totally erroneous, as the road on which they were proposing to travel was NOT closed to traffic travelling in the opposite direction from the event.

ACTION

Write letters to Tour of Britain organisers, Scottish Borders Council and the police, pointing out the problem in the hope that better arrangements can be put in place for next year's race.

07.09 PLANNING APPLICATIONS

17/01208/PN Formation of a new forestry road north of Glenbreck House. No observations.

08.09 MICROGRANT APPLICATIONS

Application for £300 to the youth bursary from Ms Brooke Brown for financial help towards driving lessons. Approved to the maximum allowed by the community council - £250.

BB also said SSE had now agreed to his request to extend the age limit for the youth bursary to 18. He also requested that two grants issued last year, which could not be met in full due to lack of funds, should now be topped up as promised when the new grants were issued. Councillors agreed to this request.

09.09 COMMUNITY PLAN

Invoices for the implementation of the plan and how to claim grants to cover the the cost had now arrived and were passed on to the treasurer. It was agreed that 250 copies of the plan brochure should be printed and PG promised to look into printing costs.

10.09 POLICE REPORT

See attached

Duncan Davidson reported that when the A701 was closed due to the recent fatal accident, the signs at the Rachan turning south of Broughton did not specify where the accident had occurred, which meant residents along the A701 did not know whether to proceed or not. DD asked whether either a policeman could be stationed there at any future closure or that signs could specify the site of the accident.

ACTION

PG agreed to take this up with the police.

11.09 TREASURER'S REPORT

As of today the bank account contains £2,971.56p. At the start of the financial year on 1st April there was £721.79p. Since then the following sums have been received - £920 from S.B.C. and £2,500 from the S.S.E. Youth Bursary making a total of £ 4,141.79. There's also been expenditure - £14.99p for website maintenance, £45.24p for the printer's toner, £110 for hall-hire and £1,000 in respect of 4 Youth Bursary awards of £250 each; amounting to £1,170.23p. In addition there is a known commitment of £300 - £250 for another application to the Youth Bursary and £50 for the annual Christmas party. The total of expenditure and commitment known so far is £1,470.23p leaving a balance of £2,671.56p. However, there are the following sums ring-fenced to meet specific needs - £557.11 for S.S.E. Micro-grant, £310 for Infinis Micro- grant, £1,250 for the Youth Bursary grant and £270 approx for hall- hire. This totals £2,387.11p which leaves a balance of £284.45p for the remaining 6 months."

12.09 SCOTTISH BORDERS COUNCILLOR'S REPORT

ES reported that, since the fatal accident on the A701, SBC had decided to set up an action group to look at the condition of the road, including any surface repairs or new signage needed. This would be similar to the group set up to consider the A72.

PG said signage along the road was extremely poor and needed to be upgraded, and asked whether a 30mph limit could be applied to the Tweedsmuir stretch of the road. ES said this would entail getting a traffic order, and that the TCC should apply to the SBC. The meeting agreed to do this.

ES also pointed out that £91,000 worth of funding was now available from the SBC for community projects, but must be spent before the end of the financial year.

ES was also asked whether there had been news on the application to the Scottish Reporter to build a windfarm at Whitelaw Brae. He said he was not aware of any decision. PG agreed to contact the Scottish Government for a timescale.

13.09 CROOK INN

DD reported that the community company was applying for funding to implement design work regarding the development of the bunkhouses and cafe on the site, and should hear by the end of the month whether its application had been successful. Mr Davidson also reported that the Crook would be part of a major project, Connecting the Tweed, which would see hubs created at various points along the Tweed to promote the river. It is envisaged the Crook would form the hub for the source of the Tweed. An application for £6m funding from the project's organisers had now gone to the Heritage Lottery.

14.09 AOB

Resilient communities: The secretary reported that Tweedsmuir had been invited to a get-together of all areas with resilient schemes to attend a meeting at SBC headquarters at Newton St Boswells on Tuesday, 24 October.

First Responders: The Upper Tweed and Tweedsmuir Responders group, which is soon to go live, has received a donation of £1,250 from the Scottish Endurance Riders' Club.

The next meeting will be at Tweedsmuir Village Hall on 5 October (7.30pm).