

Newcastleton & District Community Council
Minutes of ORDINARY MEETING
Tuesday May 8th @ 7:00 pm Village Hall

Present: Scott Wilson, Laura Paterson, Barbara Elborn, Shaun Turnbull, Joan Robson, Greg Cuthbert, Ian Nichol, Margaret Elliot, Adrian Downey, SBC Councillors Davie Paterson, George Turnbull, Watson McAteer, Rachel Norris. 2 members of public

Apologies: PC Allan Patterson, Gordon Steel, Lyndsay Patterson, Gary Cuthbert

POLICE REPORT

APRIL Call to the Village regarding three men walking around back lanes, attended and spoke with the men, they were in camper vans parked at new bridge, no issues. Joint operation with Police and SSPCA to Whisgills, warrant executed which resulted in three dogs being seized by the SSPCA, offences are being reported to the Fiscal. Fly tipping at Whitrope entrance to forest, amount of domestic chain link fencing, angle iron fence posts and Liandii hedge dumped. Come from a house near to a footpath or road as there is a large amount of litter, old cans, sweet papers etc. Speeding: speed checks (single crewed) either end of the village at various times during April, 40MPH was highest speed clocked, 5 ASBO warnings issued to drivers. Theft of logs from Dinley, a car pulled up, lifted logs from a pile freshly split, car registration was passed, however this was incorrect. Report of Langholm Academy School Pupil being assaulted on bus, initial statement noted, then passed to D&G Police to progress. Local vehicle stopped, owner charged with driving without Insurance.

MAY Call to Moss Place, resident asking for advice after buying a dog which became aggressive. Time spent over the last two weekends assisting the Forestry Services with unauthorised motorcyclists using the forest tracks. Group from Newton Aycliffe area, and a group from Hawick traced within the Forests at various points and educated on the error of their ways and vehicles issued with ASBO warnings. Theft of scrap reported last meeting, arrangements are in hand to attend at Newcastle and detain and interview the male involved. Report of a motor home being damaged whilst parked in Caravan Park against fence at Moss Place. Speed gun, again single crewed, Sun 6th there were a few cars and motorcycles in the 30-35 MPH bracket, only one over. Verbal warnings and four ASBO tickets, best comment of the day from group of bikers they said they had been warned about me! Perseverance works!

OTHER AREAS

This is the start of the Common riding season, but speed checks will be kept up hopefully with some corroboration. Fly tipping, quite often when it is reported it is passed directly to the Council who usually attend and clear it up. It is an offence and should be reported to Police, the quicker I can get a look at the rubbish helps, I have just charged someone with dumping in the Forest at Carterhouse near to The Carterbar, with £800 compensation request to cover wages and the cost of a skip to clear the rubbish. It is helpful if someone sees a vehicle or person and can give me a registration number, however if anyone comes across any dumped rubbish, report it.

EILDON HOUSING

Meeting to be arranged with CEO ref ongoing incidents at Moss Place. Residents are encouraged to report anti-social behaviour via forms available in Buccleuch House or anonymously via crime stoppers. The CC would seek legal advice as all decisions seem to be in favour of the perpetrators. Those who had experienced vandalism were encouraged to invoice Eildon Housing for any damage caused.

ANTISOCIAL BEHAVIOUR

Further vandalism occurred over the weekend with evidence of use of a blade/knife which is concerning. This has been reported to police who are investigating. Cllrs were asked to request the presence of the new police community action team to visit the village on a regular but irregular basis so that perpetrators could be dealt with.

1. **Minutes of the previous meeting (April 2018)** were accepted as a true record of the meeting, proposed by SW seconded by JR
2. **Matters arising:**

a. **Flooding update SEPA – Consultation**

Concerns Newcastleton assessment is based on out of date criteria and as a result the evaluation to determine budget to deliver any scheme will be wrongly assessed. The assessment base has not been ungraded to reflect current criteria; flooding reports only to 2014, many instances have occurred since in places where it didn't happen before. Community facilities gives a value of zero but since the base was compiled Newcastleton has a new Bridge, a new business (Spar) and a new fuel service. Roads measurements are taken from within the village but as we become literally an island in a flood the external roads also need to be included in any assessed and included. These issues will be reported back to SBC flood team to ensure that the base information for assessment is corrected.

EVERYONE IS ENCOURAGED TO COMPLETE THE SURVEY deadline July 31st. The more that do the higher our chances of getting something done!

<https://consultation.sepa.org.uk/evidence-and-flooding/pvas2018/>

a. **Small Schemes – Ettleton Cemetery site progress response via from Fraser Dunlop/3rd May 2018**

With regards to the wet area in Ettleton Cemetery, I am now able to advise that the plan to help the situation is to create a soakaway adjacent the lair where the water is rising to the surface. We hope to do this by excavating a hole which would take up the area of three lairs and filling it with stones to allow the dispersal of water deep in to the ground, rather than it coming to the surface. Two of the lairs to be used for the soakaway have been allocated to families for burial. One of the families has been contacted and agreement made to relocate their lair and the Cemeteries Section are continuing to try and contact the other family. It is expected that contact will be made within the next two weeks and that if the relocation of the second lair goes smoothly, then the soakaway will be programmed for as soon as possible after that, weather permitting.

b. **Street/pavement ownership**

SBC completed review of documentation and considered the legal position regarding footways in Newcastleton. The outcome, approved by Legal, Roads Planning and Asset Officers, and is as follows: The road boundary extends from building face to building face, unless there is a physical boundary (fence, walls, etc). The Council will be responsible for maintaining the road, including footways and cobbled areas, but the cobbled areas will not be designated as footways and do not need to comply with the defect categorisation levels for footways. If someone approaches the Council to get the area outside their property upgraded or changed in any way and we have not prioritised any works at this location, they can offer to pay half the costs of the installation of the bituminous layers. However, this does not obligate the council to co fund any works if we have insufficient budget and/or do not consider this to be a priority. Where the council have inspected, reviewed and prioritised any works (whether they be on the carriageway, footway or cobbled areas), and deem that these works should be carried out as part of the planned works programme, then the council will instruct and pay for these works in their entirety. Where there is no footway or cobbled area, only carriageway to the frontage of a property, and cars are parked obstructing the passage of pedestrians, this will not be pursued as an obstruction as it is classified as the carriageway. The Council are within their rights to reinstate any area using the same materials as are there at present, should they deem this to be a priority. The Council will inspect all adopted sections of carriageway and all footways or cobbled areas alongside these sections. Also, should an insurance claim be submitted for these areas, then the Council would need to process this claim as this is part of the adopted roads network, and the property owners would not be held liable unless they have impacted on the suitability of the road infrastructure in some way.

c. **Douglas Square/ War Memorial clean up and road markings north/south village** – no progress given weather but would remain on agenda until concluded.

d. **Localities bid fund** concerns ref grant being awarded; SBC require public liability of £10m which was not stated in the application form. Cllrs will take up and challenge basis of this given it does not apply to other funding criteria from SBC. Cost of increasing insurance required from present £2m cover of £117.60 to £750.00.

- e. **Timer lorry survey** ongoing, would now also count cars carrying bike racks for tourism stats needed for the development plan.
- f. **School/Nursery** visit great visit, fabulous facilities with plans well developed to improve outdoor spaces. Richard Henderson plaque to be confirmed. CCR to advise if included on future routes so placement could be confirmed. Potential opportunity for adult 'reading volunteers' to work with P7s – request for volunteers more information will be shared when available.
- g. **Community Empowerment/SBC Community Council Network/Local Area Partnership** format. Letter received from Jenni Craig via CCN ref decisions on exclusions and lack of engagement with elected representatives. SBC propose a meeting to discuss further.
- h. **School bus/HHS – 15/4** Wrote to Donna Manson – copies to Cllrs, Scot Educ, Tracey Logan letter previously circulate. **19/4** Scott/Barbara met with Langholm Academy; Lindsay Brown (Head) Louise Jamieson (depute) wrote to Director strategic resources at D&G requesting help. **27/4** Met with Rachael Hamilton MSP explained situation. **1/5/** Positive feedback from LA confirming support to try to resolve issue but reiterated that it must be parents how solve the issue, the CC can help effect this but any outcome must be managed by them. **3/5** chased SBC for response. **4/5** met John Lamont MP advised situ, he explained he has already spoken with SBC on behalf of parents. He was advised that it was against policy to support travel into other boundaries, but he had asked if a different approach was considered given the rural remoteness of the village. **7/5/18** meeting with Paul Wheelhouse MSP who had also previously consulted on behalf of concerned parents. **8/5** Response received from Donna Manson (attached); no financial help, no offer of support to help the community solve travel issues, stressed changes for good at HHS and encouraged the community to follow achievements of HHS via www.hawickhighschool.co.uk.
- i. **Meeting with CE SBC, Tracey Logan and Leader of SBC Shona Haslam** – this is referred to in DM correspondence, date to be fixed. Cllrs Paterson and McAteer had met with both and proposed meeting in village to review the partnership between SBC and the community. The CC welcome this opportunity stressing that it should be common practise for SBC officers/members to visit areas they manage to further their understanding of the impacts of living in a remote rural community. This would be only the 2nd time in 15 years that the CE and the Leader had visited, the last being in 2005 post the flooding.
- j. **Mobile Mast feedback** – John Lamont had responded to request from UL&HCC ref progress which was forwarded. Slow but steady progress was the answer.

2. PLANNING

- a. Rock UK upgrade unanimous support from SBC planning for the proposal. Now seeking funding to upgrade facilities and implement the plan. It currently has capacity for 190 but this will increase to 215, currently employs 30 people from the village which could well increase going forward. SE assessment of their contribution to the village economy is £200k + per year. A hugely important facility for us. Working closely with them as part of the development plan as so many jobs are at stake. The CC congratulated them on efforts so far and wished them success in raising the capital funding needed to develop the project.

3. PUBLIC FORUM/COMMUNITY ISSUES

- a. **No8/youth funding** – SBC Funding stopped end Mar, not Oct as previously thought. Currently youth program being delivered voluntarily to keep children engaged as much effort had been put in to working with them pre-Christmas which had in turn reduced amount of antisocial behaviour. Dialogue between SBC and Rock UK ref asset transfer ongoing but this should not be related to any youth program. Immediate clarity sought about funding ongoing so that long term arrangements can be made. Given 2018 was designated year of young people this was pitiful and yet another example of Newcastleton being left off the list for funding.

- b. **Public toilets** – still no report but recorded stats poor as expected, certainly not delivering the income needed to maintain facility. Proposal to reduce running costs with installation of PV, solar and a bike wash were not progressed by SBC as these did not fit into the one size fits all approach. We do have an option to apply for funding to implement the changes we proposed but this must be led by SB via VisitScotland investment fund £6m. BUT we need to know outcome of report before we do this. Newcastleton should not be alone in having to offer visitors toilet facilities and if we are to take on another asset to do this then investment would be better spent on Buccleuch House to provide this rather than add to the community burden. Further discussions needed.
- c. **Bike Rack** – would be relocated to Douglas Square where it was more prominent and would be better utilised. Discussion on placement required, likely grass verges as all space needed for cars.
- d. **Traffic Calming measures** raised with CE, Cllrs reported that she stated, ‘if the community wanted them then they could have them’. The CC welcomed this given the constant issues of speeding.
- e. **Pot holes** – repairs ongoing. Watch out for update son social media
- f. **Feedback from meetings with politicians and public sector agencies** - Hugely valuable meetings all have a slightly different perspective on how the new agencies will pan out but no doubt SoSEP and Borderlands will be hugely beneficial to us. Urge EVERYONE to respond to the online consultation AND attend the village meeting on May 22nd. CC, NBF and NDCT meeting to agree strategy priorities. It is critical that we have our ambitions summarised and circulated to the influencers before the meeting, so they understand what we need to reinvigorate our community. Discussion paper to be returned on behalf of the community groups BUT everyone should also take time to complete this in their own words. The more local voices heard in support of the new south of Scotland economic and skills agency with legs and the budget to match the better
- g. **Bog Weed reported** – SBC response ref actions awaited.

Date of next meeting: Tuesday 12th 7pm village Hall. +++++