

## GAVINTON, FOGO & POLWARTH COMMUNITY COUNCIL

### Minutes of Meeting held in Gavinton Church Hall on Monday, 27th September 2004 at 7.00pm

**PRESENT:** Mrs B Darling (Chairman), Mrs C Allman, Mrs M Bishop, Mr I Gill,  
Mr N Humphry, Mr A Macmillan, Mr D Paterson, Mrs F Renton, Mrs C Taylor,  
Mr B Weir.  
Councillor Mrs M McCrave  
Mrs J Wheadon (Committee Secretary)  
3 members of the public, Mr J Marjoribanks (part attendance)

#### 1 APOLOGIES FOR ABSENCE

No apologies were received.

#### 2 POLICE INPUT

PC Howlett was welcomed at the beginning of the meeting. He said there had been a spate of thefts of plant and machinery, including trailers and generators, and all such things should be securely locked away when not in use particularly at night. If anyone sees anything suspicious then the police should be informed immediately. He left the meeting.

#### 3 MINUTES OF MEETING HELD ON 16<sup>th</sup> August 2004

The Minute, which had previously been circulated, was signed by the Chairman as a true record.

#### 4 MATTERS ARISING

12 Judging for Scotland's Floral Gateway competition - no result yet. We are expressing grave disquiet that the results are not yet to hand. Judging took place the first week in July.

14 Street names - Permission has been obtained for Street Names to be attached to the following properties:

Main Street - Myrtle Cottage and Coonanglebah.

The Green - The Village Hall.

South Street - The Village Hall and Iona Cottage.

The Glebe - on the garage of Mr & Mrs Gibson

Crimson Hill - signs to be mounted on the grass outside Nos 1 and 7.

17(c) Threatened removal of 'phone boxes at Fogo and Polwarth – this is causing concern in many areas and the Managing Director of BT is to answer questions on the subject in the Scottish Parliament on 30<sup>th</sup> September 2004. Euan Robson, MSP, has been gathering evidence of where there are problems. Mrs Taylor said she would forward an article from the Newcastle Journal on the subject to Mr Robson. Archie Kirkwood, MP, is also supporting the case and Alan Beith, MP, has spoken against the closures on TV. Cllr McCrave said that 'phone boxes in Hume and Hassington, also in her area, were affected. Mrs Renton said if it is not possible to get a mobile phone signal in Fogo then the nursery school has to use the phone box in an emergency.

17(h) Parking at Gavinton Playing Field – Mrs Darling wrote to Duns Football and Rugby clubs, with a copy to the Police, but has had no response. She will again speak to the Police. On one occasion a combine harvester was delayed for 26 minutes by cars parking on both sides of the road and leaving only space for a car to go

between. When the owners were asked to move their vehicles they were very unhelpful and abusive language was used. At a recent car boot sale the problem had been even worse with cars parking on the bend by The Old Kirk. It was suggested that perhaps a double yellow line could be painted there – Mrs Darling to contact SBC Roads Dept. In good weather cars could park on the west side of the changing rooms in the football field.

## 5 PROPOSED COMMUNITY COAT OF ARMS

Mrs Darling welcomed Mr John Marjoribanks who gave a brief talk on Coats of Arms. He had previously sent a paper on the subject which was distributed to members. He said there were now more coats of arms being registered than at any other time. The present cost to register a coat of arms is £869 but so far there did not seem to be any availability of grant funding however the matter could still be pursued. Otherwise the community could raise funds through donations and fund-raising events and the coat of arms registered when money was to hand.

When this was discussed in October 2001 the preferred design was Fig 1, however Fig 2 was a simpler design and would reproduce better, especially if needed to be reduced in size.

Mrs Renton proposed that the members of the community could be asked their opinion by being lettered-boxed with the paper, seconded by Mrs Seed, agreed.

It was decided that the coloured examples of the coats of arms should be displayed in the Post Office and on the notice boards only and people directed to see these. Mrs Seed said she would distribute the papers to residents in her area.

Mr Marjoribanks was thanked for his presentation and copies of the paper. He left the meeting.

## 6 DRAFT LOCAL PLAN – delayed due to late arrival of papers.

## 7 WEBSITE

The site, which was out of date, has been taken down. All the information is on disc. The domain name has been paid for until 2007 or 08. Mrs Bishop has registered for a half-day website course in December at which she will endeavour to find a solution to the problem. We are on the BCCF website but it is not much more than a message board.

## 8 PLANNING APPLICATIONS

(a) Border Waste Recycling Centre at former grain store, Charterhall – this is for building waste material and is a private venture. The name is confusing and a more appropriate title would be preferred. There were no objections but comments on suitability of nearby roads were made and also if there would be any restriction of use if it was sold on.

SBC Waste Transfer and Recycling Station for household waste at Buchan Moor – planning permission is still to be considered.

(b) Mrs Seed asked Mrs Darling why she was going to ask neighbours for their views on the application for outline planning permission for a dwelling house at Nisbet Hill. Mrs Darling replied that she had done this when planning permission was sought for building of houses at Polwarth. However she had not asked at Nisbet Hill as the people concerned had approached her with their views.

## 9 NHS BORDERS PUBLIC CONSULTATION ON NEW ARRANGEMENTS FOR OUT OF HOURS HEALTH CARE

Mrs Darling said this was a National initiative and not just pertaining to the Borders. Some people have had a satisfactory response from the service but for others it has been unsatisfactory. Every household will get a yellow laminated card, by mid-November, stating what to do if medical help is required. The household post code should be written on this and on all telephones in the house, as this is vital to direct assistance. Five GPs have been recruited for out of hours and 6 senior nurses trained to level of competence. Outcomes from a call will be sent to the local practice. By 2006 data sharing nationally should be in place.

## 6 DRAFT LOCAL PLAN

A public meeting was held in Gavinton Village Hall on 2<sup>nd</sup> September 2004 and notes of the meeting were distributed to members and discussed. It was apparent that there was no consensus as to whether there should or should not be any new building and if there were to be some then no consensus as to where it should be. The public were invited to speak one of whom asked if the plan would cover 10 years. Cllr McCrave said she thought it would be for 5 years but by the time the final draft was discussed, and if there was to be a public inquiry, it would be 2006 before the plan would be adopted. She also said that the Scottish Executive and Scottish Water had not put sufficient funding into the infrastructure and Scottish Borders Council were pursuing this with Scottish Executive. There was unlikely to be any improvement in the sewerage system before 2006.

Mrs Darling said that in March 2003 the Community Council were unanimous in their agreement that there should be no building on South View or Woodside but up to 12 houses and the possibility of a village hall on Crimson Hill.

Fogo members are unanimous in their delight that there is to be no building in Fogo. Mr Macmillan said he thought that outline planning permission for houses behind Rashie had lapsed.

Potwarth has outline permission for 6 dwelling houses.

Mr Humphry proposed that as there was no consensus at the public meeting then there should not be any building at all in Gavinton, seconded by Mr Gill.

Mr Weir made a counter proposal to allow building of houses in Gavinton but did not specify a site. Mr Macmillan seconded.

Mrs Darling declared a non-pecuniary interest and Mrs Seed a pecuniary interest and therefore did not vote.

The counter-proposal that there should be some building allowed in Gavinton was carried by 5 votes to 2 votes with 2 abstentions.

(Members of the public left the meeting.)

## 10 BUS 60 INTO GAVINTON

The bus at 9.16am from Galashiels to Berwick-upon-Tweed comes into Gavinton village and goes down to The Glebe to pick up passengers, however a few weeks ago a new driver had turned at the church thereby leaving people stranded. Mrs Darling reported this to the bus company who apologised and instructed all drivers to go down to The Glebe. It was suggested that all buses should come into the village as the surface of the Red Brae, down which one must walk to the bus stop at The Lodge, was very slippery. Mrs Darling said this would add 5 minutes to the bus journey and their schedule was very tight in order to connect with trains at Berwick. The condition of the Red Brae to be an item on the next Agenda.

**11 BERWICKSHIRE ASSOCIATION OF VOLUNTARY SERVICE AGM, THURSDAY, 16<sup>th</sup> SEPTEMBER.**

It was decided not to pay the £10 annual subscription as most documents are now sent by e-mail.

**12 SCOTTISH BORDERS COUNCIL RIGHTS OF WAY AND ACCESS UPDATE**

This included information on Scottish Outdoor Access Code, Rights of Way Maintenance Grant and Path Warden Service. It was decided to request that the path surface at Langton Ford, which is used by children walking to school, be improved under the Path Warden Service

**13 BORDERS FORUM OF COUNCILS FOR VOLUNTARY SERVICE – UPDATE ON COMMUNITY COUNCIL DETAILS FOR A BORDERS COMMUNITY DATABASE**

Members approved the details of the Community Council to be submitted by Mrs Darling for inclusion in the database.

**14 TREASURER'S REPORT**

Mr Macmillan reported that there is £1069 in the Community Council account and £1697 in the special account.

**15 CORRESPONDENCE RECEIVED**

- (a) Children's Panel Recruitment – notices were put on Notice Boards but will be removed
- (b) Borders Citizens Advice Bureau Annual Review
- (c) Southern Uplands Partnership Newsletter No 16
- (d) Scottish Borders Elder Voice Issue 13
- (e) SEPA View Issue 20
- (f) Orange Network
- (g) Social Inclusion Partnership Annual Report June 2004
- (h) Berwickshire Housing Association Bulletin Summer 2004
- (i) Local Government Boundary Commission for Scotland – SBC Area Review of Electoral Arrangements for Proportional Representation
- (j) Postwatch Scotland Autumn 2004
- (k) SE Poster – 'I can get advice on renting from . . . ' – Mrs Darling to object to size of poster and assumption that everyone has access to a computer.

**16 ANY OTHER COMPETENT BUSINESS**

- (a) Fogo footbridge – Niall Whyte has planted bulbs, hedging and another tree and extended the handrail from top to bottom on the South side. The completion report has been submitted and we are awaiting to see how much money we shall get. A tree still needs planting and nettles need to be cut back as children from the nursery school got stung. It was suggested that the nursery school children could plant small bulbs near the seat on the Fogo side. A good number of leaflets have been taken, there were 1000 printed but as there is no copyright it can be photocopied. The project is to be entered in the "New Ways" awards 2005.
- (b) Proposed parking in Duns – Mrs Darling showed a map, which had been displayed in Gavinton Post Office, giving details of proposed parking areas. Members were pleased that vehicles are not to be allowed to stop in school zones. The loss of long-

term parking places opposite the SBC offices and overall loss in Newtown Street is a concern. Mrs Darling to give comments to Mr Henry. SBC.

- (c) Fogo Nursery School – has been inspected and must be re-wired, which SBC has agreed to do. The toilets are not satisfactory and the children must have an outside play area. The railings need replacing. Mrs Trotter has asked the Community Council for support in making a Lottery application. The building was given by the Trotter family for community use. It was decided to hold the next meeting, on Monday 8<sup>th</sup> November, at Fogo Nursery School and Mrs Trotter will address the meeting.
- (d) Plants for floral displays – this year £60 has been spent so far and it was agreed that another £20 should be allocated for winter pansies and wallflowers.
- (e) Stray/feral cats are causing a problem in Gavinton.

## 17 FUTURE MEETINGS

Monday, 8<sup>th</sup> November 2004 in Fogo Nursery School at 7 pm  
Monday, 13<sup>th</sup> December 2004 in Gavinton Church Hall at 7 pm

The meeting closed at 9.00pm.

Chairman S.P. Lasky Date 8/11/04  
Subject 6 bars S, V.H. re-wiring  
re-wiring  
13/12/04 V.H. decided not to submit  
re-wiring.

## **Agenda Item 5: A Coat of Arms for the Community Council**

### **Preamble**

This Item was previously considered on 29<sup>th</sup> October 2001, when the proposal was left pending on the grounds that other expenditures were more pressing. In the three years since then many more Community Councils have chosen to register their coat of arms as a symbol of civic identity, having reached the conclusion that the cost, now £869, is not unreasonable in a long-term context. I have made enquiries as to the availability of grant funding from any source that might be allocated for this purpose, so far without success. Dalbeattie Community Council, who registered their arms earlier this year (see attached example), raised the funds through community activities. The paper that follows is unaltered from the original submission [other than bracketed notes].

### **Introduction**

Many Community Councils in Scotland, including the neighbouring council, Duns, have registered a coat of arms with the Office of the Lord Lyon King of Arms in Edinburgh. It is proposed that GFPCC should consider registering its own coat of arms.

### **Recommendation**

This paper sets out the costs and benefits of registering a coat of arms and proposes a suitable design for GFPCC. The Council is invited to consider the proposal and, if it so approves,

- i. authorise the allocation of £832 [now £869] for the purpose, to be raised by public subscription or charged to such fund as the Council may determine;
- ii. approve the proposed design of the Coat of Arms, subject to such changes as the Office of the Lord Lyon may require; and
- iii. authorise John Marjoribanks, resident in Gavinton and a member of the Heraldry Society of Scotland, to pursue the matter with the Office of the Lord Lyon.

### **Background**

Coats of arms have been used by local authorities in Scotland for over 600 years. Each coat of arms is a unique design that displays the history, the present status and the aspirations of the community it represents. All legally held coats of arms are registered in The Public Register of All Arms and Bearings in Scotland, created by law passed by the Scottish Parliament in 1672 and administered by the Court of the Lord Lyon King of Arms in Edinburgh ever since. The 1995 changes in local government created the present structure of unitary councils, such as Scottish Borders Council. Local concerns within these large areas are handled by the Community Councils, many of whom have either re-registered former burgh or district coats of arms in their own name or created new coats of arms to reflect the new reality. In either case, the adoption of a coat of arms has given visual expression to the community's identity in a form of graphic design both attractive and protected by Scots Law.

### **Benefits**

The Office of the Lord Lyon issues a beautifully illuminated parchment (the Letters Patent) when the coat of arms is granted. This can be framed and hung in a public building such as the Butterwell Hall in Gavinton. (The Duns parchment can be seen in the Council Chamber in Duns.) A coat of arms may be used in a wide variety of ways. It can be displayed on the name signs at the entry points to every village within the Council's area. It can appear on any property or buildings administered by the Council. It can form an attractive plaque, with accompanying explanation, at a suitable point in the Council area. It can be used on the Council's correspondence as a mark of the status and authority of the Council. It can feature in the website at [www.gavinton.net](http://www.gavinton.net) with an accompanying explanation. An appropriate design could enhance the sense of history within the Council's area.

In sum, it can provide a unique visual identification for the Council that is protected with the same legal rigour as a trademark or logo.

## Design

There is no 'predecessor' coat of arms for the Council to inherit, but there have been several coats of arms associated with the area over the centuries.

### Gavinton

The Norman family of De Vetere Ponte (Vipont or Weapont) held Langton from about 1100 to 1314, when Sir William Weapont was killed fighting valiantly for Robert the Bruce at Bannockburn. His daughter married Sir Alexander Cockburn of that Ilk, Keeper of the Great Seal to King Robert II, bringing Langton into the Cockburn family, where it stayed until it was bought by David Gavin in 1758. All of these families had coats of arms, Gavin's being a new one registered in the name of his father in 1747. Gavin created the new village of Gavinton within 18 months of acquiring the estate.

### Fogo

The Trotter family have held lands in the Merse since at least the fourteenth century. The coat of arms of George Trotter of Charterhall, which includes Fogo, is displayed in Fogo Kirk, dated 1677. Another coat of arms in the Kirk, dated 1671, is that of Sir Roger Hog of Hawcarse, a Senator of the College of Justice. Both these coats of arms feature boars' heads, no doubt in allusion to the name of the holder, just as the Cockburn arms feature cockerels.

### Polwarth

Polwarth was held by the family of Polwarth of that Ilk until the reign of James III (1460 – 1488), when, passing twice through the female line, it went to a younger brother of Home of Wedderburn. His descendant was ennobled as Earl of Marchmont and incorporated the Polwarth coat of arms within his own arms.

### Quartered or Composite?

Thus there are coats of arms representing all parts of the area which could form part of the new GFPCC arms. One approach would be to 'quarter' these arms into one coat of arms, as shown in Fig. 1, in which the arms of Gavin are in the top left quarter, those of Weapont and Cockburn share the top right, Trotter is on the lower right and Polwarth on the lower left. This creates rather a 'fussy' coat and, for this reason, a 'composite' coat of arms, incorporating elements of each of the relevant arms, as shown in Fig. 2, is recommended.

### Coronet and Motto

The Office of the Lord Lyon specifies that the coat of arms of a Community Council should have a coronet of holly leaves and pine cones, as shown in both figures. It may also include a motto. Each of the families described above had its own motto, all in Latin save that of David Gavin. Gavin was a self-made man and adopted the motto 'By Industry We Prosper', which is carved on the lintel of the old village school in Gavinton. It seems appropriate that GFPCC should adopt this sensible adage as its own motto.

### Cost

There is a formal scale of charges determined by HM Treasury for the matriculation of arms in the Public Register and the issue of Letters Patent. The fee for a new coat of arms for a Community Council is £832 [Note: £869 in 2004]. There would be no other costs associated with the process as the proposer is willing to draw up and present the required petition to the Lord Lyon at no cost to the Council. Use of the arms would incur such expenditure on signs, plaques or stationery as the Council might later decide.

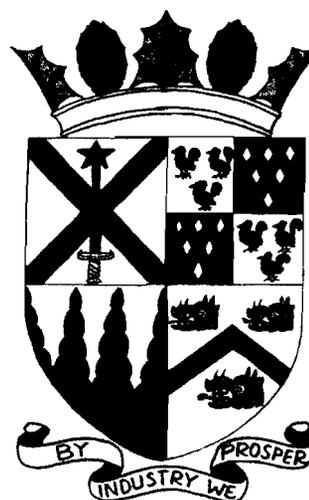


Fig. 1



Fig. 2

The Council may see fit to open public subscription to raise part or all of the necessary funds. It may also determine that certain funds currently held but not now required for other purposes may be used in part or whole.

John Marjoribanks  
Eden House  
Gavinton

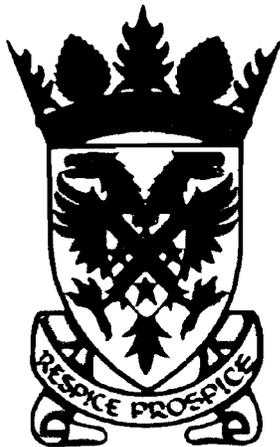
October 2001 [amended September 2004]

APPENDIX:

**Grant of Arms to Dalbeattie Community Council, 27<sup>th</sup> January 2004**

This is a reduced size image of the original vellum

TO ALL AND SUNDRY WHOM THESE PRESENTS DO OR MAY CONCERN.

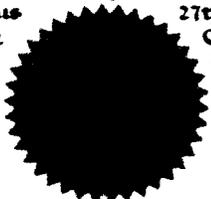


WE, Robin Orr Blair, Lieutenant of the Royal Victorian Order, Writer to Her Majesty's Signet, Lord Lyon King of Arms, send Greeting: WHEREAS,

**DALBEATTIE COMMUNITY COUNCIL**

having by Petition unto Us of date 9 July 2003 Shewn; THAT in terms of Part IV of the Local Government (Scotland) Act 1973 Stewartry District Council prepared a scheme for the establishment of Community Councils which scheme was duly approved by Her Majesty's Secretary of State for Scotland; THAT the said Dalbeattie Community Council being thereby established as a fully constituted authority held its first meeting of date 9 February 1998; AND the Petitioners having prayed that there might be granted unto them such Ensigs Armorial as might be found suitable and according to Laws of Arms know ye Therefore— that We have Devised, and Do by These Presents Assign, Ratify and Confirm unto the Petitioners the following Ensigs Armorial as depicted upon the margin hereof and matriculated of even date with These Presents upon the 81st page of the 81st Volume of Our Public Register of All Arms and Bearings in Scotland, Viz: Argent, a double-headed eagle displayed Sable, beaked and membered Azure, on its breast an escutcheon, Viz: Argent, between in chief a burch tree eradicated Proper and three mullets Gules in flanks and base, a saltire Sable charged with an archon Or. Above the Shield is placed a Coronet appropriate to a statutory Community Council, Viz: a circlet richly chased from which are issuant four thistle leaves (one and two halves visible) and four pine cones (two visible) Or, and in an Escrol below the same this Motto "RESPICE PROSPICE"; by demonstration of which Ensigs Armorial

the said Council is, amongst all Nobles and in all Places of Honour, to be taken, numbered, accounted and received as an Incorporation Noble in the Noblesse of Scotland: In Testimony Whereof We have Subscribed These Presents and the Seal of Our Office is affixed hereto at Edinburgh, this 27th day of January in the 52nd Year of the Reign of Our Sovereign Lady Elizabeth the Second, by the Grace of God, of the United Kingdom of Great Britain and Northern Ireland, and of Her Other Realms and Territories, and of Her Other Queen, Head of the Commonwealth, Defender of the Faith, and in the Year of Our Lord Two Thousand and four.



Robt O. Blair  
Lyon