



GAVINTON, FOGO & POLWARTH COMMUNITY COUNCIL

Minutes of the Meeting held at Gavinton Village Hall
on Monday the 9th of October 2023 at 7pm

Item	Comment	Action
1	Welcome and Introductions: <ul style="list-style-type: none">Chairperson Carole Wright welcomed Neil Gilmour, John Hughes, Yvonne Huggins-Haig, Tony Huggins-Haig, Morag Naylor, Gregor Watson (GoFibre), John Anderson, Cathy Anderson, Katie Massie, Angus Massie and Michael Fleming.	
2	Apologies: Amanda Stewart, Bryce Weir, Cllr John Greenwell, Cllr Donald Moffat and Cllr Mark Rowley	
3	Declarations of interest: None raised	
4	Minutes of the meeting on 28th August 2023 It had been brought to the CC's attention that what had been reflected in the minutes of the meeting under Planning relating to the application to remove condition 5 of planning permission 21/00794/FUL regarding the visibility splay was incorrect. The comment recorded was apparently incorrectly attributed to YH-H. Mr and Mrs Anderson advised that no agreement had been reached with them, as owners of the adjacent land, to maintain the visibility splay on their land in perpetuity. There are also other property issues – see Matters Arising below.	MN
5	GoFibre extension of fibre broadband network Mr Gregor Watson introduced himself as the Head of Customer Services. He confirmed GoFibre had received approval for the full fibre build to commence in Gavinton utilising the Government subsidy provided by BDUK. It was hoped this would start in approximately six months' time. He advised that the Government subsidy covers the installation costs but only if participating householders take up the broadband service from GoFibre. If a household is currently under	AS

contract with another operator GoFibre would not cover any early termination fees if the householder wished to move straight away. However, if the householder wanted to go with GoFibre he/she could wait until the expiry of the third-party contract and then take up the GoFibre service.

Mr Watson would be attending the next CC meeting on 30th November with two colleagues to provide insight into the rollout and to work with the CC notifying residents as to the service and informing them on how to take it up. He mentioned community events to raise awareness of the project and encourage take up.

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Matters arising from the minutes and not covered elsewhere in the agenda.

Correspondence from Mr and Mrs Anderson had been circulated to CC members prior to the meeting. CW explained that the application for the removal of Condition 5 of planning permission 21/00794/FUL pertaining to the visibility splay had been discussed at the CC meeting on 17th April 2023. Cllr Moffat had advised that a complaint regarding the development had been made to the Chief Planning Officer. On 26th April 2023 AS had written to the Planning Department and registered residents' concerns regarding the removal on safety grounds. At the CC meeting on 28th August 2023 the CC was advised that agreement had been reached with the neighbouring landowner (see comments above).

It appears from Mr and Mrs Anderson that there are a number of issues relating to the construction of the property, changes to its position and disposal of wastewater. The Andersons had raised concerns with various levels in the Planning Office, had spoken to Cllr Moffat and others and, failing a satisfactory outcome, had written to the local MP. As regards the last they had been told he did not get involved in planning matters.

In the light of the correspondence from Mr and Mrs Anderson, AS had written once again on 4th October 2023 to the SBC planning officer for an update and received the following reply:

“The reasons for the removal of condition 5 from planning permission 21/00794/FUL are detailed in the planning and building standards committee report which is available to view on the public access portal.

The Planning Authority fully considered the concerns raised by local residents and the Community Council and they were addressed in this report. Roads Planning Service were also consulted on the application and they did not raise any concerns regarding the removal of condition 5.

A fence has been erected in the visibility splay to the north east by a local landowner. It is the responsibility of the landowner to maintain the visibility splay and not the applicants for planning application

	<p>21/00794/FUL. Roads Planning Service are currently pursuing the removal of the fence under the Roads (Scotland) Act 1984”.</p> <p>The fence referred to is on the Anderson’s land, is below the level of a hedge and has nothing to do with the visibility splay.</p> <p>JH pointed out that the CC is there to pass on the concerns of the community if brought to its attention but is not involved in deciding planning matters. It had not seen a need to comment on the original building application and it was not usual for the CC to monitor individual projects, an issue raised by Mr Massie.</p> <p>It was agreed that YH-H would prepare a note for submission to SBC’s Planning Department.</p>	
7	<p>Treasurer's Report</p> <p>Transactions on the account since the last meeting on 28th August 2023</p> <p>Cheque for £19.19 issued for internet domain renewal.</p> <p>Cheque for £17.92 issued to SBC for insurance premium cover for defibrillator and cabinet for 2022/2023.</p> <p>Payment received of £630.00 for SBC annual support grant and 60.00 for reimbursement for Village Hall hire.</p> <ul style="list-style-type: none"> ● Balance of the CC account is £1504.81 of which <ul style="list-style-type: none"> General funds £1420.83 Covid 19 support funds £83.98 	CW

<p>8</p>	<p>Community Improvements and Maintenance- Current</p> <p>a) Vehicle Speed - Main Street/Crimson Hill, Gavinton</p> <p>The new electronic speed sign at Crimson Hill is now programmed and working well. PC Kris McLeod carried out speed checks with the speed gun on 31st August outside no1 Crimson Hill. As he was alone he could only caution drivers but told NG that there would be officers in attendance on the next occasion. Fines could be levied.</p> <p>AS had previously been in contact with Philippa Gilhooly of SBC regarding the dragon's teeth and roundels which had been promised as a priority, with an indication that this would be carried out by early summer at the latest. She was then advised of a general Borders CC consultation for additional measures. AS has still to hear the outcome of GFPCC's request, although once again a promise has been made that Gavinton is to be treated as a priority. This has been going on since the beginning of 2023.</p> <p>AS to keep pursuing this.</p> <p>b) Suitability of Main St. Gavinton for HGV's</p> <p>AS advised that Gary Haldane of SBC has promised to progress the design of "pedestrians in the road" warning signs for the east end of Gavinton as discussed at the last meeting. He had advised her that most of the traffic and road safety budget has been allocated for the rest of this financial year with some contingency left for urgent safety measures. Any new requests will be prioritised on a "road safety critical basis" with some works having to wait until the next financial year.</p> <p>c) Maintenance by SBC of path to bus stop on Duns Road</p> <p>AS had received a response on 7th September from Donald Scott, SBC's Roads Asset team leader, to the effect that a review of the maintenance responsibilities for this footpath had been done, as it was not listed in the adopted areas for the village. Documentation has now been found from a roads order drafted in 1951 confirming the adoption of the footpath by the council. He said he would arrange an inspection of the path and issue an instruction for it to be swept to remove the build-up of moss. The vegetation at the sides of the path had been cleared but the moss had still to be removed so the path was still slippery. AS to follow up.</p>	<p>AS</p> <p>AS</p> <p>AS</p> <p>AS</p>
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9	<p>Community Improvements & Maintenance – issues to be kept under review and discussed only when appropriate updates are available.</p> <p>a) Removal of Japanese Knotweed at riverside in Gavinton.</p> <p>The contractor for the Tweed Forum went out to Gavinton Woods on 6th September to start spraying the knotweed. Hopefully the issue is now resolved. BW to report back at next meeting.</p> <p>b) Maintenance of Information Signs-Fogo</p> <p>The costs for these had been included in the successful application to Blackhill Windfarm Community Fund for the SBC unpaid work project. NG was asked to follow up with Mr Berry of UWP to see if work could get started as soon as possible on all the agreed jobs with winter approaching. The sign at Fogo Church is being repaired by a local contractor to include materials and labour. This was not included in the Blackhill Windfarm grant. NG to get a quote.</p> <p>c) Upgrade of Gavinton play park.</p> <p>The issue of whether to fence the play park had been put out to a community consultation via a QR code on the Gavinton Village newsletter. 32 responses had been received of which 30 were against putting up a fence and only 2 in favour. It was agreed to leave the play park unfenced and this item can be removed from the agenda.</p> <p>d) Gavinton Full Fibre Broadband Project</p> <p>See item 5 above</p> <p>e) SBC’s Justice Services Unpaid Work Project (UWP)</p> <p>NG explained the background and advised that several local projects had been agreed to be done by the UWP. The labour is free but the cost of materials must be covered. AS had applied to Blackhill Windfarm Community Fund and funding of GBP862.60 had been approved.</p>	<p>All</p> <p>BW</p> <p>NG</p> <p>MN</p> <p>NG</p>
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<p>10</p>	<p>Updates on the proposed wind farm projects at Dunside and Lees Hill</p> <p>As regards the Dunside wind farm, the planning application has been submitted to the Scottish Government’s Energy Consents Unit. The CC had received no objections so far.</p> <p>As for Lees Hill there had been several information sessions. The Gavinton one seemed to have been fairly well attended. AS had reported that the viewpoints requested by the CC were not available in time for the session but, according to Fred Olsen Renewables, the developers, would be made available to the CC as soon as they are completed. There is still no plan available for electricity cables/pylons. Apparently, this is decided in a separate planning application by the National Grid/Scottish Power Energy networks and not by the developers. The developers’ representative indicated that they did not wish to participate in a public debate as suggested at the last CC meeting, but would be happy to attend a CC meeting to gauge residents’ feelings early in the ne year once the application has been lodged.</p> <p>The developers are forming a community liaison group (CLG) as a forum for sharing and discussing updates on the project and helping to “shape community consultation and associated community benefits”. They have requested that the CC nominates 1 or 2 representatives to attend meetings. CW pointed out that agreement to join the CLG should not be taken as an endorsement by the CC of the proposed windfarm. It was agreed a representative should be appointed in order that the CC knows what is happening and can represent residents’ interests. TH-H volunteered to be the CC representative.</p> <p>Paul Whitfield, of Old Langtonlees, had sent a letter to the Energy Consents Unit regarding the developers’ response to the CC’s submission on 24th August 2022. A copy will be circulated to CC members and will be discussed at the next meeting.</p>	<p>TH-H</p> <p>MN</p>
<p>11</p>	<p>Hardens Hill Quarry</p> <p>YH-H observed that the road to Longformacus was only 4.6m wide. She had been in touch with Philippa Gilhooly of SBC who had advised that the council was looking at the road, in the whole, because of the extra activity with the possible implementation of the windfarm, the collection of timber and the quarry activity. This will be exacerbated come winter.</p> <p>Mrs Anderson advised that the householders in the neighbouring property were parking their cars on the bend of the road and reverse out of the plot into the road. This had been reported to the police, but they say they cannot take action because activity is within 10 metres of their property. There is potential</p>	<p>YH-H</p>

	<p>for an accident. Another reason to object to SBC’s actions regarding the visibility splay.</p>	
<p>12</p>	<p>Borders Greenway Route Community Meeting</p> <p>It was noted that NG and MN had attended the public meeting. Brochures had been left in the Village Hall for information.</p>	
<p>13</p>	<p>Planning</p> <p>A planning summary was circulated prior to the meeting.</p> <p>Since the last meeting one new application 23/01335/AMC had been registered following the withdrawal of an earlier one for the same property.</p> <p>Plot 1 Land east of Kirkburn House, Cothill. A comment was referred to the Planning Department that there was a discrepancy between the plan for the existing exit and the drawing proposal. YH-H advised this would affect road safety. Noted that the CC had picked this up, but the Planning and Roads Departments had not.</p> <p>YH-H advised that four applications had been approved including number 4 discussed above.</p> <ol style="list-style-type: none"> 1. Land northeast of Woodland Farmhouse, Duns. Erection of dwellinghouse - approved all matters specified in conditions of planning permission 21/01421/PPP. 2. Derelict Cottages, Langtonlees Farm. Demolition of derelict cottage/erection of new dwellinghouse with integral garage. 3. 1 Ryslaw Farm Cottages, Duns. Demolition of dwelling house. 4. Removal of condition 5 of planning permission 21/00794/FUL pertaining to visibility splay. See matters raised above. <p>Details of all planning applications are available on the SBC Planning website and can be accessed via GFPCC community webpages.</p>	<p>AS</p>

14	<p>Correspondence forwarded to CC prior to the meeting.</p> <p>Mid-Berwickshire police report for August 2023</p> <p>Waste and recycling collection details</p> <p>The above correspondence is available on the community webpage.</p>	MN
15	<p>Councillor Update</p> <p>There were no Councillors in attendance and no updates received prior to the meeting.</p>	
16	<p>Any other business</p> <p>NG noted that two of the Gavinton planters were falling apart. He had sourced two and paid GBP25 each. He had already been in contact with the Duns Mens Shed about the replacement of the planters and been told they had a waiting list and couldn't do the work for the same price as those purchased. Agreed to reimburse NG with GBP50 for the planters.</p> <p>There is a third planter which can be repaired. Once again NG's contact is happy to do the repair work and only charge for the materials. NG to get a quote for the materials.</p>	NG
17	<p>Dates of Meetings</p> <ul style="list-style-type: none"> ● Date of next meeting, Thursday 30th November 2023 – 7pm Gavinton Village Hall. ● Future meetings will be held at Gavinton Village Hall, at 7pm on Monday 15th January, 4th March, 15th April and 3rd June (AGM) 2024. 	
18	<p>The meeting closed at 8.30pm</p>	