

Biggar Community Council
Minutes of the meeting held at 7pm on 13/12/21 via Zoom

Present: BCC Community Councillors Lesley Craise (Chair), Janet Moxley (Secretary), Bobby Colquhoun (**Treasurer**), Jerry Sumpster, Laura Shirley, Jimmy Ritchie, Roger Curtis, Peter Rae, Gillian Gardner.

BCC Associate members: Neil Ingram, Al Stewart

Ex Officio Cllrs Ian McAllan, South Lanarkshire Council (SLC).

3 members of the public.

Apologies: Anne Lindsay, Ben Waine, Bob Brownlie

1) Minutes of the Previous Meeting (15 Nov 2021)

It was agreed that the minutes should not include updates on developments which happen after the meeting. These will be removed from the final version of the minutes. Subject to this amendment, the minutes were accepted.

2) Matters Arising from the Previous Minutes

i) High St Lighting. SLC have acknowledged that they are responsible for the lower lights, but at present these are not shown on SLC's online reporting system.

Action: Ian to raise the dark lower lights with SLC.

ii) High St Pavement Flooding Work has now started to remediate flooding on the pavement outside Charcoal Grey and the neighbouring property.

3) Matters raised by members of the public

i) Flooding at the splash Cllr McAllan reported that safety at the splash will be included in SLC's assessment of road flooding hazards.

ii) Parking Parked vehicles are causing obstructions on Viewpark Rd and South Back Rd towards the Coop. This has delayed emergency services at times. Police are unwilling to take action unless there are double yellow lines.

Action: Cllr McAllan to raise with SLC and Lesley to write to Colin Park in Roads on behalf of BCC.

iii) Benches Lack of seating is making it difficult for less mobile people to walk to the Public Park from Millstone Park. Janet suggested that BCC could take this project on with funding from the windfarm. SLC have reservations about memorial benches and have recently turned down requests from individuals wanting to provide benches, however these would not be memorials and SLC also have a duty to provide facilities to keep people active. There might also be other places in the town where benches would be useful.

Action: Janet to liaise with Thelma Ingram to assess whether SLC would be amenable to BCC providing additional benches and if so assess where benches might be needed, and develop costings for providing them.

4) Police report

A Police report was provided for the two month period 15/10/21 – 09/12/21 as no report had been available in November due to local officers being in Glasgow for the COP talks.

71 Incidents were recorded by Police Scotland. For comparison, in the same period there were 368 incidents recorded for Lanark and 404 for Carluke.

15 crime reports raised – 8 x thefts (shoplifting, waste bin & fuel), 2 x vandalism, 1 x public order offence, 1 x communications act offence and 3 x Road traffic offences.

Some of the shop lifting incidents were committed by a suspect from Glasgow and they will be reported. The incidents reported to police cover many things, far from all being for serious matters and none reported relate to ongoing issues that affect or should cause concern to the wider public.

The police emphasised that all crimes reported to them are fully investigated and where sufficient evidence exists the perpetrators are reported. They also stated that the public should not hesitate to contact them if they have any concerns or anything they wish to discuss. Non-urgent matters should be reported via 101, urgent matters via 999.

5) SLC Councillors' Reports

Cllrs McAllan has received clarification from SLC about posting banners in the street. SLC's permission should be sought before banners are erected. However, SLC did not remove the What's on Biggar banners which went missing a few months ago.

Action: Ian to provide SLC's rules on street banners to Janet so that they can be shared via BCC's social media.

In response to concerns about proposed tree felling at St Isidores, an emergency Tree Protection Order has been introduced. Discussions about the future of the trees are ongoing.

6) Treasurer's report

Account balances

1. Business Account Final balance £187.27. £35 paid for a Remembrance Day wreath, and £215.16 for newsletter printing
2. Clyde Windfarm Account Final balance £2801.32*. Payment of microgrants of £300 for BCAG Christmas lunches and £200 to Biggar Youth Project.
3. Incentive Account. Final balance £3073.75. There are four budget lines within this account
 - i. Glenkerie Windfarm Microgrant Fund. Final balance £985.85. No transactions since the last meeting.
 - ii. BCC Incentive Fund. Final balance £64.52*.
 - iii. Clyde Extension COVID fund. Final balance £1670.27 No transactions since last meeting.
 - iv. Community Action Plan fund. Final balance £353.11. £190.08 paid for leaflet printing.

* A microgrant payment of £480 to Braw Clan was inadvertently made from the Incentive Account instead of the Clyde Windfarm Account. This will be corrected when the change of signatories is complete and will reduce the Clyde Windfarm Account balance by £480 and increase the BCC Incentive Fund balance by the same amount.

Treasurer hand-over RBS still are processing the change of signatories request.

Incentive Fund Expenditure Agreement was given in principle for expenditure from the BCC Incentive Fund on small gifts including calendars for Biggar, Saskatchewan. Costings for these will be obtained and final agreement given by email before purchase.

Action: Janet to complete an application to the Incentive Fund on behalf of BCC.

7) Microgrants

i) Microgrant Awards A £200 Clyde Windfarm microgrant has been awarded to Biggar Youth Project for Christmas activities.

Microgrant applications from a further 3 organisations are in the pipeline is hoped that decision on these will be reached before Christmas.

No microgrant applications will be processed between Christmas and New Year.

ii) Clyde Extension COVID fund Gareth Shields has agreed that the balance in this fund can be used for the bonfire insurance.

8) Planning Matters

i) Grayside Windfarm An online public meeting with Arcus, the agents for the Grayside Windfarm proposal, has been arranged for Monday 20th Dec at 7pm. This will provide an update on the proposal and give an opportunity for BCC members and the public to ask questions about it.

ii) Tree felling Several mature trees have been felled in connection with a house being built on Edinburgh Rd despite there being a planning condition that they should not be felled. The Planning Dept had allowed this felling as the Tree Survey had found that three trees diseased, and another had a life expectancy of 10 – 20 years. The Survey recommended that these four trees be removed. A further, healthy, tree was removed as this was necessary to ensure the correct alignment of the access. Janet noted that there had been considerable public concern about this felling and the contrast in tree management between the planning conditions and the Tree Survey. In view of this, Biggar and District Civic Society have asked SLC to alert BCC to situations where the developers provide information indicating that tree management will not be consistent with planning conditions to preserve trees.

iii) Loaningdale Paddock The developers have provided an update outlining how they intend to address concerns about road safety on Carwood Rd. There will now be a pavement along the Carwood Rd side of the development, and there will be a path connecting to Pentland Reach to give an off-road route into town for pedestrians. It was felt that the route of the proposed path and entry point into Pentland Reach were unclear. A member of the public commented that Pentland Reach residents might not welcome increased footfall through the estate.

The developer's agent had wondered whether BCC would be willing to contact SLC's Roads Dept to ask for the 30 mph speed limit to be extended to beyond the entrance to Loaningdale as this would improve safety on Carwood Rd which would benefit the application.

A member of the public noted that SLC already intend to extend the 30 mph limit to the Pentland Reach access to Carwood Rd once it was constructed and that a similar limit would be advisable for any further development. She expressed concern that once the access from Pentland Reach to Carwood Rd was constructed (likely in 2022) this would further increase traffic on Carwood Rd at a time when the number of pedestrians walking to Loaningdale Arts Centre is increasing.

Cllr McAllan stated that he was already in contact with Roads about the speed limit, as regardless of the Loaningdale Paddock proposal, extension of the 30 mph limit to beyond

the access to Loaningdale would benefit people walking to activities at the Arts Centre. Although BCC has contacted Roads in the past about speeds on Carwood Rd, it was felt that it would be inappropriate to do so again in response to this request from a developer.

9) Bonfire Update

SLC's Licencing Committee has granted an Entertainment Licence for the procession and a 5 x 5m bonfire. A Fire Marshall will also have to be appointed, and the fire will have to be completely extinguished on Ne'erday. The Bonfire Sub-committee have put a huge amount of effort into preparing the case to present to the Licencing Committee, and their independent assessments of heat transfer to into the ground appeared to have influenced the decision, especially as Scottish Gas could not provide calculations to back up their concerns about possible effects on the Gas Main.

Scottish Gas had excavated some holes outside the Corn Exchange on the day of the meeting, but no gas pipes were visible in them.

As the bonfire will be smaller than usual there are plans for additional entertainment including a Guiser's Play. If COVID guidance prevents a Bonfire the Guiser's Play will go ahead online.

The Bonfire Sub-committee are waiting updated Scottish Government guidance on the COVID situation before taking out insurance.

10) Proposed Changes to the Constitution

Lesley proposed two amendments to the BCC Constitution as follows:

Amendment 1

Add a clause after Clause 16 and renumber subsequent clauses accordingly.

Proposed Clause 17:

Members can be removed from the community council if

- 1. They have failed to attend meetings for six consecutive months, unless there are exceptional circumstances which two thirds of the Community Council agree are acceptable*
- 2. If they have been convicted in the United Kingdom, the Channel Islands, the Isle of Man or the Irish Republic of any offence and has passed on them a custodial sentence for a period of twelve months or more*

Y63. Relocation which renders invalidates the residence qualification for membership

- 4. If a member of the community council is elected as a councillor in the local authority, or as an MP or MSP, they will become an ex officio member with no voting rights*
- 5. If it is deemed by a two thirds majority of members present and voting at a public meeting has breached the code of conduct*

A member of the public asked whether the provisions would include Associate members, and Lesley confirmed that it would. They asked whether SLC had provided any comments or guidance on the proposals, and Lesley confirmed that SLC had not responded yet. They also asked what the process would be for informing the accused and what their right to respond would be. Lesley stated that there would be a process for this, but it had not yet been defined.

Janet reiterated that concerns that she had raised about this proposal at the previous meeting, particularly point 5, which she considered to be outwith the powers granted to Community

Councils in the Scheme of Establishment and therefore open to legal challenge. She felt that it would be better to await SLC's guidance on the lawfulness of this amendment before voting on it.

The Chair moved a vote on this motion. 7 members voted for the motion, and 3 abstained as they felt proposal was invalid. This amendment received support from 2/3 of BCC's voting members and was therefore passed.

Amendment 2

To add a clause to after clause 16 and the new clause introduced by Proposal 1 and renumber subsequent clauses.

Proposed additional clause:

Members can be suspended from the Community Council for up to 3 meetings if it is deemed by a two thirds majority of members present and voting at a public meeting that a member has breached the code of conduct.

7 members voted in favour, 1 against and there were 2 abstentions. This amendment received support from 2/3 of BCC's voting members and was therefore passed.

Action: Lesley to notify SLC of these results and ask whether they are acceptable under the Scheme of Establishment for Community Councils.

10) Social Media Policy

It was unanimously agreed to adopt Version 4 of the Social Media Policy drafted by Lesley.

11) Winter Resilience

Roads in Pentland Reach are not yet adopted, but Story Homes have provided and filled grit bins in Phase 1, and will keep them topped up, and are gritting throughout the estate.

Neil has contacted SLC about gritting on North Back Rd, who have responded that this is not a priority gritting route. SLC regard this North Back Rd as a road (not a pavement), even though the road is used by pedestrians as there is no pavement. This means that the insurance which SLC have arranged for voluntary groups to grit pavements would not apply. There will be more pedestrians using North Back Rd once the social housing at Pentland Reach is occupied. There is one grit bin on at the junction with McDiarmid Court – these are intended for gritting pavements rather than roads. Another grit bin by the Pentland Reach car park would be useful.

Action: Laura to conduct a grit bin audit, and Neil to contact SLC to request additional bins where required.

Lesley noted that BCAG volunteers can't grit all pavement in the town e.g currently Knocklea pavements are not gritted. She asked that people encountering empty/wet/frozen grit bins should report them to her and/or SLC.

A member of the public has proposed an emergency centre for Biggar in case of a prolonged power outage. This location would have a temporary generator as at present very few premises have back-up power supplies and none of the halls do. The Gillespie Centre, the Municipal and the High School were suggested as a possible emergency centres. The PFI agreement might complicate use of the High School. There could be planning issues with installing a back-up generator to any building, and there would need to be storage space for diesel.

Action: Neil to approach SLC to see what plans they have in place for this type of facility and investigate use of the Municipal. Caz to discuss with GC management committee.

Neil pointed out that distribution within Biggar is all underground and the main power supply is underground for the last 200m, but the two main feeders that come from the National Grid from Kirkfield Bank, Lanark are on posts and there is also a link that goes towards Broughton which is also on posts. However, these overhead lines are not in areas with lots of trees, so are not vulnerable to tree fall.

12) International Links

i) Biggar Saskatchewan are providing four sweatshirts for who were involved in making the video of Biggar. Subject to the cost being reasonable, it was agreed to provide 4 calendars of Biggar from the BCC Incentive Fund. Cllr McAllan agreed to provide a message in his capacity as SLC Provost.

Action: Janet to check cost of calendars from Biggar Gallery and Loretta Atkinson Ward and report back via email before a final decision on purchasing. Ian to provide Janet with a message from the Provost.

ii) The Diplomatic Representative of Flanders is keen to explore whether links can be developed between Biggar and a town in Flanders. Agreed that we should take up their offer of an online meeting in January.

Action: Janet to arrange a date for a meeting to discuss links with Flanders.

13) Health Centre

Lesley is still waiting for a response from the Health Centre on provision of a sheltered waiting area. The current situation where people without cars have to wait in the car park regardless of the weather is unacceptable.

Noted that Dr Goldie will be retiring in the spring, but there is no indication yet of who will replace him.

14) Links with Schools

Agreed that Roger should represent BCC on the High School Parent Council.

Action: Janet to inform the Parent Council of this.

15) AOCB

The Bonfire Sub-committee were thanked for their hard work which has resulted in an Entertainment Licence being granted for Hogmanay 2021.

These minutes reflect situations as they were at the time of the BCC meeting. In some cases, situations may have evolved between the BCC meeting and circulation of the minutes. Such changes to circumstances will not be recorded in the minutes.