

**Biggar Community Council**  
**Minutes of the meeting held at 7:00pm on 18/2/19**  
**in Biggar Library Meeting Room**

**Present:**

**Community Council**

Gil Dunn (Chair), Thelma Ingram (Vice Chair), Jan Currie (Secretary), Jerry Sumpster (Treasurer), Gordon Cunningham, Jimmy Ritchie, Laura Shirley, Janet Moxley, Lesley Craise (Minute Taker)

**Ex Officio**

Cllrs Ian McAllan, Alex Allison and Eric Holford

**4 Members of the public**

**Minutes of the meeting held on 21/1/19**

Thelma pointed out that the minutes did not contain details of who proposed and seconded the minutes of the meeting held on 10/12/18. They were proposed by Thelma Ingram and seconded by Lesley Craise. Subject to this amendment, the minutes of the meeting held on 21/1/19 were agreed, proposed by Gil Dunn and seconded by Thelma Ingram.

There were no matters arising at this point.

**Chair's opening remarks and monthly report**

Gil outlined the main areas of activity since the last meeting.

1. Leaflets with information about the community council have been delivered to every house in the town. Jimmy asked why only four phone numbers had been included in the leaflet. Gil said that there was not space on the leaflet for everyone's number. She also pointed out that drafts of the leaflet had been circulated by email before it went to the printers.
2. We circulated information via Facebook regarding the proposed erection of a cycle shelter in Biggar High Street. Facebook comments were collated and sent to SLC. This resulted in a reversal of the council's decision. Thelma asked whether people felt that this was an adequate way of feeding back views from the public, particularly given that she felt the timescale was very short. Janet pointed out that this information was part of an already existing context. For example, during the Clydesdale Transport Study, when the views of the public were sought, people felt that the existence of a bike shelter would not encourage them to cycle and that what was needed was safe routes for cyclists e.g. from Biggar to Symington. Councillor Allison said that the proposal had come about because the council received money specifically for bike shelters.
3. Gil reported that she has been working on the website, adding more community groups and more information.

### **Chair's opening remarks and monthly report (cont)**

4. Gil referred to the Gladman exhibition taking place on Thursday 21<sup>st</sup> February, 12-8 at the Gillespie Centre. The community council intends to organise its own public consultation in the event that the application for planning permission goes ahead.
5. With respect to the Community Council's "Fayre", Gil felt the timing should be around February 2020 to give time to prepare, and proposed that we link this event with a "Good Citizen's Award", following the example of some other community councils. Jimmy indicated that BCC had previously made a "Citizen of the Year" award, which went to Biggar Rugby Club. Gil indicated that we will ensure that we seek input from Jimmy given his experience of the process used previously to decide on who should receive a "Good Citizen's Award". Details of the "Fayre" will be discussed at a later date.
6. The question of whether the Gala Day Queen would be able to switch on the Christmas tree lights arose. Jimmy said this should be easy and undertook to sort it out.
7. Jerry suggested building up a database of people who would like to receive electronic or paper newsletters. This would be covered by the General Data Protection Act (GDPR) referred to later in these minutes.

### **SLC Councillors Reports**

1. Planning permission for the Legion Hall has been granted. The work involves replacement of the door and front facing kitchen windows.
2. A member of the public had commented adversely via Laura on the work being carried out on the pavements adjacent to Moat Park. On the side near the Burn Braes, the paving stones were replaced with hot rolled asphalt. Councils are not required to replace like with like. However, on the other side of the road, the flagstones will be retained and the damaged ones replaced. The member of the public had also been unhappy about the noise and disturbance involved and that she had not been notified of the work. However, there is no requirement for the council to notify the public about repair work of this kind.
3. There remains the issue of the excessive speed of vehicles approaching the Burn Braes from the Carnwath road. Councillor Alex Allison informed the meeting that the Scottish Government are about to publish a report on speeding.
4. Biggar High School Parents Council has asked if the Community Council could be represented at their meetings. BCC is supportive of this idea in principle. However, they meet on the same night as the Community Council.
5. Training for Community Councillors. This will be on 25<sup>th</sup> April in the evening. Planning Scotland will attend.

### **SLC Councillor's Reports (cont)**

6. Councillor Allison reported on the flooding on Edinburgh Road up from North Back Road on the westerly pavement opposite the entrance to Cross Road. Amey are aware of the shallow run of the drain. They will be digging holes to investigate.
7. In response to recent accidents, police have increased speed traps on the A73 at Tinto Tea Rooms.
8. Councillor Holford reported that a consultant has been appointed to look at options for Pettinain bridge. Final approval for the budget should happen on 27/2/19 and the completion date is likely to be 20/21.
9. There has been a meeting between Railtrack and the Council. It seems that the plans for Carstairs are less comprehensive than was originally envisaged. Gil asked whether there would be additional parking at Lanark and Carstairs. This is under discussion. There was also discussion about how to provide public transport links between Biggar and Carstairs.

### **Secretary's Report**

1. Jan had received a letter of thanks from the Friends of the Corn Exchange for the grant they received to purchase a printer.
2. Jan proposed that a link to the public consultation about Monklands be posted on the website. This was agreed.

### **Treasurer's Report**

1. Jerry reported that all the bank mandates are now in place. BCC received £125 in compensation from RBS because of the errors they made during the process of changing the bank mandates. One bank statement went to Peter Rae in error and the bank has apologised to Peter.
2. The business account currently has a balance of £753, £250 of which is ringfenced for the Bonfire Insurance, which still has not been invoiced from SLC. The RBS compensation was paid into the business account. Jerry proposed that we transfer this to the Incentive account. This was seconded by Jan.
3. The incentive account currently has a balance of £853.
4. BACS transfer to top up the Glenkerie Windfarm money is on its way.
5. There is £91 left in the Clyde Windfarm Community Fund. A return has been submitted and we would expect a top up in due course. Jerry will chase this up with John Archibald.
6. All of the required information to update the assets list is to hand and Jerry will update this in readiness for 31<sup>st</sup> March Year End.

## **BCC Councillor's Reports**

**Janet Moxley** had attended a public transport consultation meeting on 18/2/19. This consultation will feed into the Clydesdale Transport Study already referred to. Issues being discussed include:

- Proposal for a station at Symington
- Increasing services from Carstairs
- Train service from Lanark to Edinburgh, although this would be an expensive option.

One problem for this area is that public transport south of Biggar is not being considered.

This consultation is part of an ongoing process designed to improve public transport links in this area. The Scottish Government would be the source of funding for any changes and it seemed to Janet at the meeting that they are relying on the HS2 link as the way forward for improvements in rail services. People attending the consultation event were sceptical about this as a solution. A report is due by the end of March.

Janet raised the various issues which have been presented by the community regarding public transport. There was a good attendance from Community Councils at the meeting.

There was a discussion about local transport arrangements, including the 191/91 service where some times of the day are subsidised but not others, and the Edinburgh to Dumfries service. Councillor Alex Allison reported that SLC councillors are meeting in a focus group to look at public transport in Clydesdale East and Clydesdale South. There is a plan to create a hub in the area south of Biggar, possibly in Abington which will join up local public transport services. Janet warned that Midlothian Council are considering withdrawing their subsidy from the 100/101/102 service. This might mean losing the link between Biggar and Penicuik.

**Jimmy Ritchie** had reported a number of blocked manhole covers and given Amey a note of 11 street lights which are not working.

**Thelma Ingram** had received some queries from members of the public.

1. In relation to a query as regards poor visibility in the area of Kirkstyle, Carwood Road and North Back Road, Thelma had been asked whether parking could be restricted on the west side of Kirkstyle next to the Municipal Hall parking area

## **Community Councillor's Reports (cont.)**

### **Thelma Ingram (cont.)**

2. There have been problems with the lighting in Langvout Square for over a year. Residents have tried to raise this with SLC but the information does not seem to have been passed to the relevant department/s. Replacement LED lighting will be installed at some point. The lights are now working, but there may be a recurrent problem.

**Laura Shirley** had been approached by a member of the public regarding the section of the path to the public park between Millstone Park and the first bridge, which has frequently been flooded lately. Councillors Allison and MacAllan will take this forward. Councillor Holford encouraged people to report issues via the website because then complaints about a particular issue will be counted.

## **Agenda Items**

### **GDPR**

Jerry had previously circulated various papers relating to GDPR by email. We need to think about what data we hold or intend to hold. Thelma asked if there were paper copies of the proposed GDPR statement for those at the meeting, so we could discuss it and the public could see it and ask questions. She said this should happen before it was adopted. Other BCC members felt that this is an internal BCC process and when our statement/s are complete we need to let the public know why we are keeping their personal data and what steps we are taking to keep it secure. Jerry will recirculate the relevant documents.

Thelma said that she was uncomfortable about the way emails were being used to discuss and decide things outwith public meetings. In response to being contacted by a member of the public, Gordon Bow, Administration Manager of SLC, replied by email as follows: "email discussions and decisions should not happen. All discussions and decisions should be held in the presence of the public in open meetings".

Thelma had then asked Gordon Bow for clear guidance on how Community Councils should and should not use email. Thelma read out Gordon Bow's reply, which confirmed his previous advice, and gave all those present paper copies of the reply.

Janet asked for a copy of the email originally sent by Thelma to Gordon Bow. Thelma agreed to circulate the email to all those present at the meeting, including members of the public. Gil agreed to contact Gordon Bow to request a meeting to clarify this issue. This was proposed by Gil and seconded by Thelma.

It was also agreed that Thelma and Jimmy would be supplied with paper copies of minutes and agendas.

### **ICO Registration Fee**

This is £40. Janet has asked the Information Commissioners Office for further clarification about why we need to register. Jerry noted that other community councils are registering. It was agreed to defer this decision until the next meeting.

### **Microgrants:Internal process agreement**

John Archibald is happy with the document drafted following our meeting on 4/2/19. Jimmy has not had a chance to look at the document yet. He will do this and phone Jerry. Hopefully we will be able to formally adopt this process at our next meeting.

### **Proposal for South of Scotland Development Agency**

Janet explained the the formation of a development agency is currently being proposed for Dumfries and Galloway and the Borders. This also links with strategic public transport plans. There have been bids for rural South Lanarkshire to be included and SLC has been pushing this option.

It was agreed that Janet should write to the relevant Parliamentary Group on behalf of the Community Council. This was proposed by Jan and seconded by Laura.

### **SLC policy on memorial trees**

South Lanarkshire's policy is that commemorative trees can be planted in memorial spaces e.g. graveyards but not on other land that they own, for a variety of reasons.

Alex suggested maybe trees could be planted e.g. in the Burn Braes that are not specifically memorials. Another possibility might be to replant trees that have not survived. Alex also said he had no definitive answers at the present time. Bob Brownlie (member of public) advised that if a letter is sent to SLC outlining your proposal they will then guide you through their processes. There is a need to keep away from electrical cables, gas pipes etc. Although there are plans for these, there is still a chance of things going wrong, in fact they have recently gone wrong, so SLC must dig any holes themselves. A tree planting strategy is being developed by SLC which means that only certain species of trees can be planted.

### **Accessibility in Broughton Road, route to Greenhills Care Home**

Lesley stated that access is very poor, due to a mixture of narrow pavements, poorly maintained pavements, dangerous places to cross for people using a mobility scooter or a power wheelchair because they are on corners or junctions, and parked cars. She also highlighted the issues of speeding cars on that section of the road. These combined factors make it difficult for Care Home residents to use mobility scooters or wheelchairs to be able to go out. Councillors Allison and MacAllan will take this forward.

### **Update re Bield/Biggar Little Oasis**

Lesley reported that the steering group for Biggar Little Oasis and SLC are meeting on 25<sup>th</sup> Feb, 2:30 at the Bield. She invited SLC councillors. The steering group will be meeting with Michelle McConnachie, adults and older people service manager and Maureen Deary, locality manager.

### **South Lanarkshire Health and Social Care Forum Clydesdale Locality**

Lesley asked if the Community Council would nominate her for this forum. Proposed by Thelma Ingram and seconded by Janet Moxley.

### **Q & A with public**

**Sheila Swan** noted the puddling in Millstone Park already raised by Laura Shirley. She stated that previous attempts to report this by phone had been unsuccessful. Councillors Allison and MacAllan will take this forward.

Sheila also commented on the hedge that overhangs the pavement on John's Loan. Gil will have a word with the owners.

**Bob Brownlie** raised the following points:

- He stressed that when phoning SLC to report something they should give you a reference number which enables you to track your complaint.
- Bob had reported missing light bulbs between the Corn Exchange and the flower shop. It seems to be unclear whose responsibility they are. Jimmy undertook to clarify this with Amey.
- The bus shelter at Story Homes has no sides and will not give much protection from the elements. Bob asked why this design had been used. Thelma agreed to try to find out.
- Parking at the top of the Burn Braes is eroding the grassy slope. Bob wondered about putting in parking bays there. Councillors Allison and MacAllan will pass this suggestion on to the roads department.
- Bob suggested that if BCC was holding a public consultation regarding the Gladman proposal, it might be a good idea to consult on other issues as well. This suggestion was welcomed.

**Thelma Ingram** asked what response had been given to the member of the public who contacted BCC about the Clydesdale close. The member of the public was advised to contact environmental health.

## **AOCB**

### **Microgrants**

We are committed to a £500 grant to WomanKIND Clydesdale once the Clyde Windfarm money is topped up. The grant is to enable WomanKIND to buy a printer and will be made when the Clyde Windfarm money is refreshed with the £5000.

Biggar Rugby Club had applied for a microgrant to cover the cost of equipment for the Biggar Bairns pre-school rugby project. While BCC was supportive of the project, the items for which funding was requested had already been purchased and therefore, under the rules set out for the operation of the microgrant fund which preclude retrospective funding, we were unable to award a microgrant. We have invited the Rugby Club to submit a further application for equipment for this project which has not yet been purchased. A copy of BCC's response to the Rugby Club is appended to this minute.

### **Date of Next Meeting**

18<sup>th</sup> March at 7:00 in the Library Meeting Room



## **ACTIONS TABLE**

Provide copy of email to Gordon Bow	<b>Thelma Ingram</b>
Enabling the Gala Day queen to switch on the Xmas Tree lights	<b>Jimmy Ritchie</b>
Flooding between Millstone Park and first bridge	<b>Councillors MacAllan and Allison</b>
Recirculate GDPR documents	<b>Jerry Sumpster</b>
Update assets list by 31 <sup>st</sup> March	<b>Jerry Sumpster</b>
Request Meeting with Gordon Bow	<b>Jan Currie</b>
Comment on microgrants: internal process agreement	<b>Jimmy Ritchie</b>
Write to Parliamentary Group regarding proposal for South of Scotland Development Agency	<b>Janet Moxley</b>
Access issues on Broughton Road	<b>Councillors MacAllan and Allison</b>
Talk to owner of overhanging hedge	<b>Gil Dunn</b>
Clarify responsibility for street lights between Corn Exchange and Flower Shop	<b>Jimmy Ritchie</b>
Parking at top of Burn Braes	<b>Councillors MacAllan and Allison</b>
Liaison with Biggar High School Parent Council (JM)	<b>Matters arising next meeting – Jan Currie</b>
Question design of bus stop at Story Homes	<b>Thelma Ingram</b>
Supply Jimmy and Thelma with paper copies of minutes	<b>Lesley Craise</b>
Supply Jimmy and Thelma with paper copies of agendas	<b>Gil Dunn</b>

## **Appendix 1 Letter to Rugby Club**

Hello Nigel,

Biggar Bairns Micro-grant application was briefly discussed at last night's community council meeting. The decision to reject the current application has to stand because the guidelines are quite clear about retrospective funding: I have cut and pasted the relevant sentence below:

*Micro Grant Guidelines Dec 2018*

*What is not permitted*

*Costs already incurred or activities which will take place before we have made a decision on an application (retrospective funding).*

We can understand your disappointment but we do have to abide by these rules, not least of all because we are audited by the main fund/trust which could easily refuse future funding to Biggar Community Council if we are found in contravention of these rules. This could obviously have an adverse impact on many small organisations within the Biggar Community which is something I am sure we would both wish to avoid.

As a part of the micro-grant process, when grants are approved the recipients are asked to sign a form of 'contract', which includes the provision of receipts for spending. In the case of the Biggar Bairns, had we subsequently received 'no receipts', 'receipts for items other than those originally applied for' or 'receipts evidencing that moneys had been spent prior to approval of an application' then we would be duty bound to ask for the grant to be repaid (which would likely be recorded in CC minutes and thus in the public domain). I am sure that this would be an awkward position for both Biggar Community Council and BRFC and one that you would not wish to be placed in.

We do all think that this is a great project. You have stated in your second email that you still have items to buy, we would recommend that you submit a fresh application for a micro-grant, itemising the specific items and their estimated costs well before you are likely to incur this expenditure. As further guidance please be aware that rolling costs such as hall rental for regular sessions and coaches fees/wages would not normally be considered favourably for a micro-grant application.

The above said, there would be nothing to stop you submitting an application to the main Windfarm Fund, but we would recommend that, to avoid further disappointment, you check fully the guidance notes prior to submitting.

We hope this is helpful

Yours sincerely