

**Biggar Community Council**  
**Minutes of the meeting held at 7:00pm on 20/5/19**  
**in Biggar Library Meeting Room**

**Present:**

**Community Council**

Jerry Sumpster (Chair), Thelma Ingram, Jan Currie (Secretary), Jimmy Ritchie, Laura Shirley, Janet Moxley, Lesley Craise (Minute Taker)

**In Attendance**

|                           |                 |
|---------------------------|-----------------|
| Inspector Ross McCallum   | Police Scotland |
| Constable Mark Richardson | Police Scotland |

**Ex Officio**

Cllrs Ian McAllan and Alex Allison

**6 members of the public**

We moved to item 4 of the agenda "Police Report" as a number of members of the public from Biggar Business Group had come along for this specific item.

**Police Report**

Inspector McCallum gave a summary of crimes recorded in Biggar since the beginning of April. These included: one assault, two van break ins, two people in breach of a court order regarding barking dogs, damage to a van in the school car park, break in at Gillespie Centre, two attempted break ins to shops, theft of a banner from Kirkstyle Courtyard, theft of newspapers from Brownlies.

With regard to the attempted break ins to shops, Inspector McCallum explained that Police Scotland believe that these are not specific to the Biggar area and are part of a wider pattern of break ins extending beyond Clydesdale East.

A member of the public from Biggar Business Group observed that the break ins to shops were part of a pattern going back to last October.

Inspector McCallum acknowledged this and said that officers in Carluke, Lanark and Biggar had recently been redeployed to try to increase the presence of police on the ground. A factor affecting police deployment in Biggar has been the flooding of the police office a year ago. Police Scotland are looking for alternative premises in Biggar, in negotiation with partners.

Police Scotland's priorities locally for the next year are: violence, housebreaking, public protection and drugs. With respect to housebreaking, the emphasis is on improving detection rates.

## **Police Report (cont.)**

Strategies include:

- Gaining information about criminals' use of the road network
- New offender management strategy e.g. repeat offenders will get more attention from the police, as will people released from prison. This will be a more proactive approach to offender management.
- As well as the focus on detection rates for housebreaking, there will be an emphasis on prevention

A member of the public from Biggar Business Group asked whether there would be more of a police presence in the evenings and overnight. Inspector McCallum said that there were already a number of unmarked cars patrolling the area at night and that, going forward, there should be more of a uniformed presence on the ground at these times, with cars being allocated to particular areas.

Inspector McCallum advised that the new Community Safety Officer, Ross Leggate, can give advice regarding the security of domestic and business premises. This officer would be able to meet with Biggar Business Group and email addresses were exchanged to enable this to happen.

A member of the public emphasised that people are feeling vulnerable as the result of recent break ins and attempted break ins, and wondered if a Neighbourhood Watch Scheme could be helpful. Police Scotland would encourage this. The police recommend us to call 101 and report any suspicious or unusual events.

Cllr Allison asked whether the redeployment of officers would result in “robbing Peter to pay Paul”, given that the local police are covering an area of 400 square miles. Inspector McCallum acknowledged that would sometimes be the case but that he had managed to bring in some additional resources from outwith Clydesdale East.

Cllr McAllan sought reassurance that a second police officer would be deployed if corroboration was needed and that Police Scotland are committed to having a base in Biggar. He was reassured on both counts.

The question of the installation of public space CCTV was raised. This is not the responsibility of Police Scotland, it lies with local authorities. In Carluke, the Carluke Development Trust has taken responsibility for installing public space CCTV.

A member of the public had notified Jerry that she had received no correspondence from Police Scotland following the successful detection of a crime where she was a victim. Inspector McCallum apologised for this omission.

The Police Scotland Officers were thanked for their attendance in the midst of a busy schedule.

### **1. Apologies**

Apologies were received from Gil Dunn.

## **2. Minutes of the meeting held on 15/4/19**

The sentence "Contact was made with Biggar Online who appeared to be trying to sell us a website which we do not need." in point 2.2 of the previous minutes was amended to "Contact was made with Biggar Online, but we decided to continue with the strategy of having our own website."

The minutes were proposed by Jan, seconded by Jimmy and approved.

### **2.1 Matters arising from minutes of meeting held on 15/4/19**

Lesley asked if the budget for the health and social care consultation on 22<sup>nd</sup> June could be increased from £50 to £70. This was proposed by Janet, seconded by Lesley and agreed.

## **3. Chair's opening remarks**

This was combined with item 5.

## **4. Police Report**

See earlier section.

## **5. Chair's monthly report**

Jerry referred community councillors to the Code of Conduct we all signed up to. Jerry drew attention to the community, respect and leadership clauses of the Code of Conduct. In terms of specific guidance he outlined the following:

- If you commit to being a member of a working group then please ensure that your input to that group is timely, allowing for briefing papers to be produced in time to be shared and read before the next meeting.
- If you have been tasked to arrange a meeting then communicate the time and venue of the meeting, to allow other CC members to attend.
- Debate among the CC is healthy, but be aware of the risk that your individual passion for specific items/topics can sometimes lead to what can only be described as argument. Arguments are counter productive and more often than not are regretted.
- Whilst we are all individuals, the community views each of us as civic leaders. Take care when expressing personal opinions, they are like as not going to be viewed as opinions of the BCC.

## **6. Secretary's Report**

### **6.1 Request for School Prize**

Jan had received this annual request. See item 11.2 for our decision

### **6.2 Continued Involvement with Scottish Health Council**

We had been asked if we wanted to continue to be kept informed. We do. Jan will let them know.

## **Secretary's Report (Cont.)**

### **6.3 Other Correspondence**

Correspondence was received from Al Stewart asking for the rugby club to be added to our website. This has been done.

The member of the public who is concerned about the safety of Carwood Road had shared the response she received from SLC. The gist of the reply was that nothing could be done because there had been no fatalities and current funding levels mean that action is prioritised where there have been accidents.

Laura said that a group of mothers she met in the Burn Braes were also worried about the safety of Carwood Road.

Cllr Allison advised it was felt that to extend the 20mph limit would cause driver confusion. He also advised that the Restricted Road Bill (20mph) Scotland was expected to get through all the parliamentary stages by the autumn. This bill proposes widespread extension of 20mph limits and SLC feel they should wait until this bill is law before planning any action on the extension of 20mph limits.

The new manager of the Museum contacted us and Jan has arranged to meet with her.

### **7. Specific matters brought to meeting by public**

None were raised, aside from those dealt with via the Police Report.

### **8. Treasurer's Report**

Balance figures given are correct at 16/5/19.

Business account balance                      **£205.42**

Incentive account balance                      **£1978.55**

(Glenkerie balance £1019.12, Incentive fund balance £959.43)

Clyde windfarm account balance              **£3313.50**

Assets report              no change, laptop still to be disposed of, photocopier still to be tracked down

Accounts for the financial year 2018/2019 are prepared and are to be submitted to SLC along with receipts/invoices for auditing at the beginning of June. Then we expect to receive a top up for the business account for this financial year.

### **9. Digital Correspondence**

Gil provided a summary of digital correspondence received since the last meeting. A copy of this is available on our website <https://biggarcc.weebly.com>, or at the Library.

### **10. SLC Councillors reports**

Cllr McAllan reported that he and Cllr Allison had attended the public meeting called by David Mundell MP regarding residents' environmental health concerns about the Brown Brothers site at Ballgreen Road. Laura, Janet and Thelma also attended.

## **SLC Councillors reports (cont.)**

Brown Brothers are addressing the main issues raised by neighbouring residents and the SLC planning officer is to speak to Cllr McAllan about matters arising.

Cllr Allison reported on the meeting arranged by him at Langvout Square following concerns raised on behalf of the residents by Thelma at the last BCC meeting. A number of officers from different departments met with residents. The concerns raised included parking, lighting and the condition of properties. It was felt by those present that a more in depth look was needed and a follow up meeting was arranged in two months time. Janet asked to be notified of the time and place of any meetings taking place so that community councillors have the option of attending. She also asked if the absence of recycling bins had been raised at the meeting. Thelma informed the meeting that this had been raised.

Cllr McAllan reported that he and Cllr Allison had meetings with Amey and Traffic Scotland Scotland before the A702 roadworks started.

### **11. Agenda Items**

#### **11.1 A702 closure:Feedback/lessons learned**

This item was deferred to a future meeting given that the roadworks are not complete.

#### **11.2 Incentive Fund Guidelines**

Jerry suggested that a signed declaration should be added to the draft form. This would:

- certify that information given is correct and the applicant is authorised to act on behalf of the group, if it is a group application
- confirm that the money can only be spent on what is specified in the application
- include an acknowledgement that receipts for expenditure are required
- state that the CC might use approved projects for publicity purposes

He also suggested that this should be added to all our application forms and this was unanimously agreed.

The guidelines for the Incentive Fund presented by Jerry were agreed. Proposed by Jerry, seconded by Thelma. These will be published on the website soon. Given that the guidelines had been agreed, we unanimously decided to grant £50 for a school prize. We will complete the necessary paperwork.

### **11.3 Guidelines regarding unrestricted reserves**

Lesley presented a short briefing paper, which is appended. This recommended that:

- the OSCR rule of thumb about reserves not exceeding 25% of one year's operating costs should be applied across the board for all applications from organisations, whether they are clubs/societies or charities. We should not generally give grants to organisations with more than this unrestricted level of reserves , AND
- We operate sympathetically around designated funds, after making enquiries about what the funds are designated for
- We stop using the words “ring fenced” as they have no legal standing

Jerry suggested that, before we decide to use the OSCR “rule of thumb” for unrestricted reserves, we should look at successful applications over the past year to analyse whether they would have been successful if we had applied the criteria “no more than 25% of running costs held unrestricted reserves. We agreed to do this, and the application forms and guidance notes will be amended accordingly. The recommendation to remove the term “ring fenced” from application forms was accepted. These courses of action were proposed by Lesley, seconded by Thelma and agreed. A member of the public asked all the grant money went to Biggar, e.g. a group may contain people from Biggar and people from other CC areas. We try to take a common sense approach to this, rather than ask detailed questions about groups' membership. Another member of the public asked about how the Incentive Fund will be used going forward. The guidelines and application form will be on our website in due course.

### **11.4 Microgrant applications for decision**

1) Application from Gillespie Centre to Glenkerie Fund for £250 towards security equipment

2) Application from Gillespie Centre to Clyde Windfarm fund for £500 toward an intruder alarm system.

Both applications were successful, proposed by Lesley and seconded by Thelma.

### **11.5 Planning**

#### **11.5.1 Gladman planning application**

This has not yet appeared on SLC's website. Gladman sent us a CD with the material they have submitted. Jerry stressed that it is not the case that we have only three weeks to respond once the application is in place. Given these two factors it was decided not to decide on a date for a public meeting at this point. If we want the CC to be a “statutory consultee”, we need to opt to do this. We agreed to do this, proposed by Jerry and seconded by Janet. Jan will take care of this.

### **Gladman planning application (cont)**

Jerry observed that we need to think about, and draft, the shape and content of the public meeting and survey. Also that 120 people attended the Gladman consultation event, and we need to at least match that. The Planning Advice Service and Planning Democracy might have useful advice and templates we could use. Thelma will contact PAS and Janet will contact Planning Democracy.

#### **11.6 Permission for cornets to borrow town flag**

We agreed that the cornets could use the flag whenever they wanted, without asking.

#### **11.7 Local access forum**

Andrew Goldie had asked if we would give up our place on the Local Access Forum occasionally to allow a rep from Biggar and District Community Heritage (BDCH) to attend as they are working on a project to improve local paths. Given that the local access forum deals with a number of access issues in and around Biggar not just paths, we felt it was important for the CC to attend. We therefore were unable to agree to BDCH's request, but Janet agreed to contact them before each local access forum meeting to ensure that she was briefed on progress with their paths project. Janet will inform Andrew Goldie.

#### **11.8 Proposal for survey working group**

We need to develop effective ways of consulting the community in ways which are inclusive. A key part of this will be encouraging people to sign up to the mailing list on the website. A working group consisting of Gil, Lesley, Jerry and Laura was set up to look at this and report back with ideas.

#### **11.9 Links with Biggar Businesses**

We want to develop links with local businesses. We agreed with the members of Biggar Business Group present at the meeting to share agendas and minutes.

#### **11.10 Bonfire Insurance**

Deferred to next meeting.

### **12. AOCB**

Bob Brownlie reported back on the poor lighting on the steps and beyond between Campsie's Garage and Boghall Park discussed at the February meeting. As any improvement to this would be a capital scheme and there are no available capital monies there was not much that could be done. However, SLC will cut back the trees which could increase the amount of light coming from the lights on the A702. Bob also reported that he would be clearing weeds from the burn on 21/5/19.

**AOCB (cont)**

Janet reported that the work on the Burnbraes paddling pool is complete.

Laura asked about the progress of repairs to the burn side path. A contractor has been appointed but there is no start date as yet.

Thelma reported some progress with the Story Home bus shelters and that the induction loop in the Library Meeting Room is now working.

**13. Date of Next Meeting 17<sup>th</sup> June 2019**

We did not review the actions table at the meeting

**ACTIONS TABLE 20/5/19**

|  |                                  |
|--|----------------------------------|
| Let Gala Day committee know Gala Queen can switch on Xmas Tree lights  | <b>Jimmy Ritchie</b>             |
| Ask Morag Renwick (ex secretary of BCC) if she knows the whereabouts of the photocopier belonging to BCC listed in our fixed assets list as being at 18 High Street. | <b>Jimmy Ritchie</b>             |
| Clarify with Gordon Bow which papers should be available for members of public attending BCC meetings  | <b>Jerry Sumpster</b>            |
| Check out proposal for online payments with Gordon Bow   | <b>Gil Dunn</b>                  |
| Planning Gladman Public Meeting  | <b>Janet Moxley<br/>Gil Dunn</b> |
| Complete application form for school prize   |                                  |
| Respond to Scottish Health Council   | <b>Jan Currie</b>                |
| Add checklist to all application forms   | <b>Jerry Sumpster</b>            |
| Analyse successful funding applications over the last year, looking at reserves levels   | <b>Jerry Sumpster</b>            |
| Remove the term “ring fenced from application forms and guidance notes   | <b>Jerry Sumpster</b>            |
| Contact planning advice service  | <b>Thelma Ingram</b>             |
| Contact Planning Democracy   | <b>Janet Moxley</b>              |
| Feed back to Andrew Goldie re Local Access Forum   | <b>Janet Moxley</b>              |

## **Appendix 1**

### **Briefing Paper:Unrestricted Reserves**

#### Background

Most community organisations are either clubs/societies or charities. Clubs/societies do not have to report their financial affairs to anyone other than their members. Charities are governed by OSCR (Office of the Scottish Charities Register) and are required by OSCR to divide their available money into restricted and unrestricted reserves.

Charities can hold three kinds of reserves:

- **Restricted funding**, which has been given to a charity for a particular purpose
- **Unrestricted funding**, which a charity can spend on anything it wants, within the parameters of their charitable objects
- **Designated funding**, which is unrestricted funding which the charity has decided to spend in a particular way.

The important point is that, legally, designated funding (what is known in popular parlance as ring fenced funding) does not exist. It is unrestricted funding because the charity could change its mind and spend it on something else.

#### Reserves Amounts

OSCR recommends that no more than around 25% of a charity's annual expenditure should be held in reserve. They are more tolerant if there is a good argument for keeping a high level of unrestricted funds as designated e.g. if the charity is keeping its money for necessary roof repairs.

Clubs/societies, generally speaking, have fewer liabilities, no staff, no leases for buildings etc., and arguably could operate with less reserves.

#### Recommendations

- OSCR rule of thumb about reserves not exceeding 25% of one year's operating costs should be applied across the board for all applications from organisations, whether they are clubs/societies or charities. We should not generally give grants to organisations with more than this unrestricted reserve level, AND
- We operate sympathetically around designated funds, after making enquiries about what the funds are designated for
- We stop using the words “ring fenced” as they have no legal standing