

**MINUTE of the MEETING of Kelso  
Community Council held in the Town  
Hall, Kelso, on Tuesday 10<sup>th</sup> September  
2013, at 7.30 p.m.**

**PRESENT** Provost Bassett (in the Chair), Councillors Hodges, D Weatherston, King, Tomczyk, McGrath and Horsburgh., Scottish Borders Councillors T Weatherston, Mountford and Nicol.

**IN ATTENDANCE** George Young, Secretary and Michael Ballantyne Chairman of Kelso Chamber of Trade.

**Welcome**

Provost Bassett welcomed members of the Council to the meeting. In particular he welcomed Councillor Hodges as this was her first meeting of the Council. He also welcomed Mrs Redgrave the prospective Secretary. Provost Bassett thanked Councillors D Weatherston, McGrath and Horsburgh for their participation in the events at St James' Fair.

**Police Matters**

As P C Howgego is on annual leave a written report was submitted and circulated to members.

**Stakeholder Group Public Art**

Provost Bassett welcomed Charlie Robertson, Chairman of the Stakeholder Group, to address the meeting. He went on to say that this was the preliminary to a Public Meeting which would be held on 2<sup>nd</sup> October.

Mr Robertson started by stating that the Public Meeting on 2<sup>nd</sup> October would take place in Kelso High School at which Jake Harvey, who was going to create the Public Art, would be in attendance. He went on to say that the background was that £40,000 had been provided by Sainsbury's for the specific purpose of creating Public Art in the Town. The responsibility for selecting the Public Art fell to the Stakeholder Group. A small group from the Stakeholder Group was established to make a recommendation to the Stakeholder Group. The small group consisted of a representative from the Traders, representative from the Community Council and the Amenities Society. A representative from Scottish Borders Council Professional Staff was also included within the group together with Mr Robertson as Chairman. The reason for the inclusion of the representative from Scottish Borders Council was that the selection process had to use procurement procedures for the Local Authority which was felt to make the process easier as it provided a structure.

Mr Robertson first of all set out the reasons for siting the Public Art within the Square. It was hoped to eventually have a Public Art Trail and it was felt that the central place for the initial commission should be the Square. At the outset the group had considered a number of locations but it was felt that the decision making would be much more complex if there was a choice of locations therefore it was decided to create the commission in front of the Town Hall. The/

The group had made efforts to publicise the selection process as widely as possible. A prospective was issued from which expressions of interest were received from 27 applicants. This was reduced by the group to 5 who were invited to take their initial idea to the next stage. An exhibition of the 5 proposals was put on public display in Sainsbury's so that the public could make comments. The group then interviewed the 5 candidates and scored their entries using criteria which included, fitness for purpose, ability to work to budget, originality and visual appearance. The group felt that the work should epitomise Kelso. In the engagement with the Local Community a variety of comments were made including the fact that none of the 5 shortlisted items were suitable, some felt that work should be placed elsewhere as the Square was too beautiful to be touched. The group did however feel that the work being situated in the Square would create a focal point. Some thought that the work should be flat to enable events to take place within the Square. There was also a concern that it may block the view of the Town Hall. There was a body of feeling that the enterprise was a waste of money but it had to be pointed out that Sainsbury's had given the money specifically for the purpose of utilisation in the creation of Public Art. There were also concerns about vandalism but it was pointed out that the Square in the past has not really had problems with vandalism to any great extent. There was criticism that the consultation was too short but Mr Robertson pointed out that over 300 responses had been received which was a fairly representative sample. Some people felt that a public vote should have taken place and he had sympathy with this view but he felt that there would have been problems getting all of the information to the people and that the best route was to go through a small but representative group.

Mr Robertson stated that the entry by Jake Harvey, the selected Artist, was a unanimous decision. He was chosen on the grounds that he was a famous Sculptor who had local connections and a feeling for the Town. On the surface the work would be simple but had layers of hidden depth. The stone which will be utilised is the bedrock which will 'grow' out of the cobbles which are an integral facet of the Square. It was felt that the work would be visually pleasing and would be tactile. The intention was to engrave the names of places around Kelso on the stone to signify the fact that Kelso is the hub of the local area. Jake Harvey will create the work in the Square and people will be able to engage with him as he progresses over a two month period. Mr Robertson felt that the work will be quickly adopted in the history of the Town and will take the form of a world class sculpture. Councillor Weatherston thanked Mr Robertson for his presentation and looked forward to seeing the exciting work in the Square. Provost Bassett thanked Mr Robertson for his attendance.

### **Minute**

The Minute of the meeting held on Tuesday the 11<sup>th</sup> June 2013 was approved on the proposal of Councillor Tomczyk seconded by Councillor Horsburgh, subject one alteration on page 2 Matters Arising a) Stakeholder Group, line second last sentence should read "members of the Stakeholder Group (not Councillor Tomczyk) will liaise with Planners on this matter".

### **Matters Arising**

#### a) Window

Councillor Tomczyk informed the meeting that nobody knew anything about the Old Cottage Hospital window, even after a search had been carried out by Councillor D Weatherston. It was agreed to ask D Weatherston to check with any of the Churches in the Town if they would like to utilise the window.

#### b) Defibrillator/

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Councillor T Weatherston intimated that he had received the offer of two brand new defibrillators and asked for guidance as to where they should be sited. Provost Bassett stated that a defibrillator had been acquired by the High School and he wondered if two defibrillators could be sited at the two Primary Schools. It was agreed that Councillors should consider this matter and discuss it at the next meeting.

c) Stakeholder Group

Councillor Tomczyk intimated that street works will restart now that St James' Fair had passed. Works will stop prior to the Christmas period. He stated that the construction at the site of the old public toilets was held up because there had been problems with gas and telephone services. He went on to say that plans for the Pant Well are lodged with Scottish Borders Council.

d) Floral Display

Councillor Bassett stated that it was not intended to undertake a full display in 2014 as there would be ongoing work in the centre of the Town. The Horticultural Society had suggested at a meeting that they would lend their support to help with the replanting of the new plots in the Square. It was intended that in 2015 a full display would be created, particularly as it would be the 100<sup>th</sup> Anniversary of a First World War Battle at the Dardanelles at which the local Fourth Battalion had considerable numbers of casualties. It was felt that Kelso could at that stage enter the competition and assistance with the design would be done by those that created the past displays at the War Memorial.

e) Website

Provost Bassett stated that he attended a meeting of the Chamber of Trade at which a presentation was made of the new website. The Community Council will have a page on this website which will be more interactive.

### **Consideration of Plans**

The Sub Committee had considered a plan lodged by J S Crawford 3rd Generation Ltd for the change of house type on plot 9 at the land south east of Queens House, Angraflat Road. The Council had no objections. The Secretary intimated that the following applications had been received during the period of the recess. The Planning Committee felt that there were no objections to these. The plans were from Merlin Veterinary Group for change of use from light industry and alterations to form a Veterinary Centre at the factory in the Knowes, from Ralph Brooks for the erection of two sign boards at Ednam House Hotel in Bridge Street, from Mr and Mrs Ruth for a single storey extension to a dwelling house at Apple Garth, Mayfield, and from Mr and Mrs Simon Forsyth for the change of use of amenity land to form a car parking area on land north east of 8 Bowmont Street.

Provost Bassett intimated that Councillor Hodges should come onto the Planning Sub Committee. This was agreed.

### **Correspondence**

- 1) The August Newsletter of The Bridge had been received.
- 2) The summer Newsletter from Tweed Forum had been received.
- 3)/

- 3) A notification of the proposed public holidays for 2014 had been received. These took the form of the normal pattern of previous years.
- 4) A letter had been received from 'Keep Scotland Beautiful' an independent Charity which takes action campaigns and educates on a range of local, national and global environmental issues. The letter stated that from 30<sup>th</sup> September until 13<sup>th</sup> October their 'Clean Up Scotland' campaign will be focusing on a dedicated fortnight of activity to raise awareness of the severity of dog fouling in Scotland. 'Clean Up Scotland' is asking for volunteers to survey their local park or pitch during the dedicated fortnight of activity and details of the information required can be found online on the 'Dog Fouling Information Pack'.
- 5) The Minute of Kelso Area Pathways and Kelso Community Woodland held on 29<sup>th</sup> May had been received.
- 6) A copy of the Southern Upland Partnership Newsletter was received.
- 7) A copy of Scottish Borders Elder Voice August/September issue had been received.
- 8) A letter had been received from the Democratic Services Officer at Scottish Borders Council asking if the Community Council wish to include one of the Councillors as a non voting member of the Kelso Common Good Fund Sub Committee. It was agreed that Provost Bassett would be the representative with Councillor D Weatherston as a substitute.
- 9) A letter had been received from Michael Moore MP asking if the Council were interested in the Community Fuel Buying Groups for LPG and heating oil. It was felt that this may be difficult to create in Kelso as the Town was well supplied with natural gas. The Secretary will respond to Michael Moore.
- 10) A letter was received from Senior Access Officer of Scottish Borders Council intimating the availability of Local Community Paths – Maintenance Grants for Community Councils. The Secretary also intimated that he had received a letter from Keith Robeson Chairman of the Kelso Community Woodlands Group who stated that they had been paying someone to cut the paths around the Wooden Anna and it would be useful if Kelso Community Woodlands could make a claim through Kelso Community Council for this year's grant. He stated that they hoped to get the paths cut three times a year at a cost of around £300. The Council agreed to this request. Councillor Nicol stated that there was a quick way of obtaining the grant if this was for less than £500 and this could be secured by contacting Linda Cornwall or Jean Robertson at Scottish Borders Council.
- 11) The update for the new Railway for Midlothian and Borders in the form of a Newsletter called 'Connections' had been received.
- 12) A letter had been received from a Solicitor at Scottish Borders Council informing the meeting that the Council were proceeding with the Order to impose a new 40mph speed limit on the Ednam Road from the 30mph speed limit at the entrance to Hendersyde up to the new Cemetery.
- 13) Guidance notes from the Big Lottery Fund entitled 'Investing in Communities' had been received.
- 14)/

- 14) A letter had been received from a visitor to Kelso from Peterborough congratulating the Town on the fact that its beauty and history was enhanced by its cleanliness and that Kelso should become a standard, a benchmark for all Towns and City Local Authorities to adopt.
- 15) Briefing notes had been received from Scottish Borders Council regarding the current engagement regarding the possible introduction of byelaws relating to the prohibition of consumption of alcohol in designated public places. It was agreed that this should be circulated to members of the Council.

### **Secretary's Report**

a) **Sainsbury's Grants**

The Secretary reminded Councillors that the closing dates for applications this year was 30<sup>th</sup> September. Two applications for grants had been received but four application forms had recently been sent out

b) **Secretary's Replacement**

Provost Bassett stated that as the current Secretary had intimated that he wished to stand down before the end of the year interest had been shown in the post by Shirley Redgrave through Councillor McGrath. A CV had been received from Ms Redgrave and information had been circulated to Councillors. Provost Bassett and the current Secretary had met with Ms Redgrave who confirmed her interest in the post. The Secretary outlined Ms Redgrave's past experience which included the post of Personal Assistant to Senior Health Service Officials in the Tyneside Area. The Provost and the current Secretary felt that Ms Redgrave's experience would be appropriate for the post. It was therefore agreed that Ms Redgrave would take over starting with the December 2013 meeting. The current Secretary stated that he would give every support including administrative support to Ms Redgrave for the future.

c) **Punch Bowl and Salver**

The Secretary intimated that he had entered into discussions with the Insurance Officer and Legal Section of Scottish Borders Council regarding the transfer of the Punch Bowl and Salver which had been donated to the Town into the Kelso Common Good Fund. This would mean that the two items would be covered for insurance under the Scottish Borders Council policy and that the Community Council would not in the future have to pay the premium of £385 per year which in the past has had a fairly major impact on the finances of the Community Council. The Secretary stated that he had circulated members of the Council prior to the meeting and this proposal which had been from the majority of Councillors had been to agree to the transfer.

Councillor Tomczyk seconded by Councillor King proposed that the Punch Bowl and Salver be transferred into the ownership of the Kelso Common Good Fund. This motion was unanimously passed by the Council.

The Secretary intimated that the cabinet in which the Punch Bowl had been placed had been generously donated by Charity Begins at Home and the plaques which had been fixed to the cases for both the Punch Bowl and Salver had been donated by Walter Blair.

### **Area Forum Report/**

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Councillor T Weatherston stated that the most recent Area Forum meeting had been poorly attended. He stated that Heather Batsch had made a presentation about the benefits of community transport. Councillors T Weatherston stated that Scottish Borders Council needed to look closely at attracting interest to the Area Forum and felt that it was essential to have interesting topics of public interest on the Agenda. The next meeting of the Area Forum will be in October in Jedburgh and he asked Councillors to consider if there were any topics which would be of public interest which could be discussed at the Forums.

### **Scottish Borders Council Report**

#### a) Christmas Lights

Councillor T Weatherston stated that the Christmas Lights Committee had been successful in obtaining a £10,000 grant from the Lottery which coupled with the £10,000 from Scottish Borders Council will allow the new lights to be installed. The only disadvantage in the project is that the Committee will not be able to put the cables across the streets as they have done in the past. He went on to say that the cost of running the Christmas Lights was £6,000 per annum which proves quite difficult to raise. Councillor T Weatherston went on to say that the Committee will be asking the people of Kelso to vote on whether the lights should be all plain white, all electric blue, a mixture of plain white and electric blue or multi coloured. Voting papers will be included within the Kelso Life Magazine which will enable each household to have one vote. Voting papers were to be returned to Blairs the Jewellers. The Community Council will act as Returning Officer when votes close on 12<sup>th</sup> October. Councillor D Weatherston wondered if savings could be effected if there were changes in the timing of when lights were switched on. Councillor T Weatherston stated that the largest bill was for the setting up of the lights and the cost of electricity amounted to approximately £800. Although it had been suggested that lights be switched on at 3pm in the afternoon, traders were anxious that they be switched on at 1pm for maximum trading effect.

#### b) Dog Fouling/Litter

Councillor T Weatherston stated he had attended a meeting with two Senior Council Lawyers to look at the Dog Fouling Act. The Act is written in such a way that dogs are able to be walked on any open space provided the owner deals with any fouling. Any byelaws to prevent dogs being on playgrounds or sports pitches are not effective. To alter the situation it would be necessary to get a change in the Act. It was felt that the only way to make restrictions effective would be to write to Ministers to ask for a change in the Act and Councillor T Weatherston stated that he would be doing this. Councillor Bassett stated that in Northumberland dogs must be on leads in such areas and he felt that if this could be made effective it would reduce the problem. Provost Bassett stated that he would also raise the matter with John Lamont MSP when he meets him in the near future.

With regard to litter, Councillor Mountford had taken up the point that there had been increased fly tipping in the area as a result of the loss of the collection in the Knowes. The Council Officials stated that there had been less reports of fly tipping of late. Councillor Mountford felt that people were not reporting occurrences of fly tipping and it was necessary to encourage any examples of fly tipping to be reported to the Local Council. Councillor Mountford asked that if any formal complaints were made to Council Officials then copies should be made to him.

Provost/

Provost Bassett stated that there were complaints about the amount of litter which was being dropped in Roxburgh Street by School children as the bins were not immediately outside the doorway of the Co-op but further up the street litter was not been placed in bins. It was felt that if there were instances of litter arising from School children complaints should be made direct to the High School.

c) Drinking in Public Places

Councillor T Weatherston stated that all Councillors, apart from those in Hawick, are against the proposals relating to drinking in public places. It was felt that the status quo should continue. Councillor Mountford stated that the byelaw is not a blanket cover and would related to designated public areas. If Kelso is not a designated public area then the regulations would not necessarily apply.

d) Toilet Signage

Councillor Nicol had taken up the lack of signage with Council Officials and had been informed that the signage had been held up in manufacture. He had informed the Officials that it would be necessary to get temporary signs in place as soon as possible. Councillor McGrath stated that there were no signs on the building itself to indicated the fact that they were toilets.

e) Recycling Centre

Councillor T Weatherston stated that no progress could be made on this matter until the review of recycling provision in the Borders had been undertaken. Councillor McGrath wondered if it was possible to reduce the price for collection of large items within the Kelso area until recycling provision was available. He felt that such a concession would be helpful for Kelso people. All three Local Authority Councillors will consider this and the matter will be revisited at the next Community Council meeting.

f) New Kelso High School

Scottish Borders Councillors informed the meeting that at the moment negotiations were ongoing with the Landowners. They intimated that the quicker a conclusion was reached with regard to the land the quicker the plans etc., can be lodged. The Councillors stated that a meeting will be held on 23<sup>rd</sup> September and that they will send out more information about the progress following the meeting. It was determined that this was an open meeting which would be held in Committee Room 2 at Scottish Borders Council. Councillor McGrath wondered if it would be appropriate for Steven Renwick to attend the Council meeting to discuss development and the requirement in the construction of the new School. Councillor Bassett stated that Mr Renwick was currently undertaking consultative work with the staff in the Schools and the Architects. It was agreed that Mr Renwick should be asked when he felt it would be appropriate for him to attend a Community Council meeting.

g) Youth Club

Councillor McGrath wondered what progress had been made with regard to the meeting with officials. Councillor Nicol stated that on the appointment of the two Cheviot Youth Workers he had tried to encourage them to take on the Bowmont Hall to use for facilities but this had fallen through. The meeting was however informed that the ACE Centre has ceased and a meeting is arranged with the Youth Club and workers to show them around the ACE Centre premises. The Youth Workers are looking at finances to see if they could take over the Centre as it was felt that it would be an excellent venue which would be able to provide a wide range of services for youths but also provide a service to the past users of the ACE Centre. Councillor D Weatherston stated that some of the groups who have used the ACE Centre in the past have not been able to find alternative premises. It was stressed that the youths do not want to use any new facilities at the High School and want to have something which is independent.

h) Trinity Church/

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Councillor Nicol stated that it was noted that some work had been taking place at Trinity Church. He stated that the Council were currently putting pressure on the owners to tidy up the area. He had shown particular concern about the fact that there were oxy-acetylene bottles lying exposed within the grounds. The Council was informed that the owners of the Trinity Church were Ryehill Agricultural Limited. Councillor McGrath asked whether Scottish Borders Council would be able to obtain a Compulsory Purchase Order for the property. The Scottish Borders Councillors felt that a Compulsory Purchase Order would not be appropriate as no public development is being held up. They felt that the best way was to deal with it through the Enforcement Officer. Councillor McGrath disagreed and said that he had consulted the Legal Department at Scottish Borders Council who said that legally a Compulsory Purchase Order could be obtained.

Councillor D Weatherston stated that he understood that the Company who had purchased the property had developed Churches in the Edinburgh area for alternative uses. It was agreed that the Council should keep an eye on the situation as there was the real possibility of further deterioration.

i) Petitions Committee

Councillor T Weatherston stated that two meetings of the Committee had been held at which sound arguments had been presented. He felt it was a good system and thought that a petition will come from Kelso regarding Shedden Park and the decision that lights would not be provided for it. He stated that the Scottish Borders Grant Officers had identified ways of getting grants for the capital cost but it would be necessary for the residents of Kerfield Court to pay £500 maintenance costs. A petition on this was therefore coming to the Council.

j) Pinnaclehill Woods

Councillor Mountford stated that there had been difficulties with the public access to these woods as a result of people dumping garden rubbish in the area. He pointed out that the woods belonged to the people of Kelso and he asked members to let people know that dumping rubbish in the area was causing considerable problems.

k) Victoria Place

Provost Bassett thanked Councillors for the action that they had taken in getting problems with the walls at Victoria Place dealt with within a 24 hour period. He stated that following the temporary arrangements which had been made, Charters who owned the property were now rebuilding part of the wall.

## Coat of Arms

Provost Bassett stated that the contractors undertaking the work on the pavements were offering to gift to the Town a paving slab engraved with the crest of Kelso on it. Councillor Bassett thought that this would be appropriate and could be placed in a prominent position in front of the Town Hall. He had observed that there was no current crest for the Council on the Town Hall itself. It would be necessary to ask Scottish Borders Council, through David Johnston, if they could go ahead with engraving such a paving stone. Councillor Mountford asked how long such a paving stone would last with regard to wear and tear. Councillor Tomczyk felt that it would be a reasonable time but Michael Ballantyne felt that it may not last very long. Discussion/

Discussion followed on whether such a slab would be longer lasting if it was made out of the material which was proposed for the benches. It was agreed that enquiries should be made with David Johnston on this matter but in principle the Council are happy to accept such a gift.

### **Future Caravan Site**

Councillor Tomczyk expressed concern that the Springwood Caravan Site no longer took touring caravans or motor homes and he felt that Kelso not having such a provision would be missing out on tourists. He wondered if anybody else would be able to make such a provision. Provost Bassett will take this matter up with Border Union Agricultural Society and Councillor McGrath will take it up with Kelso Races Limited as both organisations do have caravans on site at events.

### **Chamber of Trade Report**

Michael Ballantyne intimated that the hanging baskets were being taken down as the money to enable them to be watered had run out. He intimated that progress was continuing on the development of the website. He stated that with regard to Shop Watch, Police had been able to obtain a 100% take up of the scheme and currently costs were being looked at.

Michael Ballantyne stated that the current Secretary was standing down and the Chamber were looking for a replacement. They were also looking for a Vice Chairman. It was suggested that the Kelso Chamber could consider applying for a grant from the Sainsbury's Fund in respect of watering.

### **Future Kelso**

Councillor Nicol stated that a change in the status of the organisation was being put into place changing from a company limited by guarantee to a SCIO which would be more appropriate in dealing with its charitable status. He said that the next meeting was in October.

### **Date of Next Meeting**

The next meeting of Kelso Community Council will be held in the Town Hall, Kelso, on Tuesday, 8<sup>th</sup> October 2013 at 7.00pm. Councillor Horsburgh asked if it would be appropriate to change the Chamber of Trade Report from the end of the meeting to the beginning of the meeting so that it allowed the Chairman of the Chamber of Trade to decide if he wanted to stay through the Council meeting. This was agreed.

Councillor McGrath intimated his apologies for the October meeting.