

Yetholm and District Community Council Meeting
Minutes of the Meeting held at Yetholm Kirk
Tuesday November 29 2022 at 7.00 pm

Present: Shane Black (SAB) (in the Chair), Norman Burr (NB) (Treasurer), Cllr E Robson (ER) (joined meeting at 8.15pm), Sumati Bala (SB), John Palfrey (JP), Susan Stewart (SS), Paul Freeland Cook (PFC), Heather Freeland Cook, (HFC) Euan Gibson (EG), Cllr Simon Mountford (SM) Susan Rands (SUR) (Secretary)

Apologies: Karon Phillips (KP), Euan Robson (ER)—late arrival

In attendance: Fiona Thompson (Yetholm Festival Committee Treasurer), Denise Allan (Pavilion Treasurer).

Members of the Public: 15

	Minute	Action
	Before the start of the meeting, the Chairman paid tribute to Harry Robson, who died recently in tragic circumstances. He told of Harry's long residence in the village and of his contribution to the community in many capacities and said how much he will be missed. He recommended a letter of condolence be sent to the family. All agreed.	
1.	Apologies for Absence: as above.	
2.	Minutes of the Previous Meeting	
2.1.	NB disputed the accuracy of the minutes of the last meeting as well as the minutes if the September meeting and asked why KP's notes had not been incorporated, as he had requested. Secretary responded that KP's exact wording relating to Item 4.1 had been incorporated into the minutes of the October meeting and had been recorded precisely as worded by KP/NB As agreement on the accuracy of the minutes could not be reached, SB proposed that this be resolved outside of the meeting in order to save time. NB seconded. All agreed.	ALL
3.	Matters Arising/Outstanding	
	There were no other items in dispute.	
4.	Co-option of Kevin Lee to YDCC	
	The Chair proposed that Kevin Lee be co-opted as a member of the council with the Resilience Portfolio, which had lapsed during the pandemic, and he perceives a need for it to be rehabilitated. As the council already has two Co-opted members (SS and EG) JP questioned whether or not it was allowed under the Constitution to co-opt a further member. Clarity on procedure was again sought from Cllr SM who said that there could be a further co-opted member if it were determined that a vacancy existed on the council and if the proposed co-optee possessed the relevant skills and expertise to fill that gap. All agreed that KL was highly qualified to fill the gap; SB asked if the Resilience Portfolio could be covered by existing members instead: SAB pointed out that all members already have their own portfolios, and it is difficult to see how anyone could find time to take on this additional responsibility. SAB proposed that KL take on the Resilience Portfolio but without voting rights until such time as he can stand for election at the next AGM. JP seconded. All agreed. Cllr Euan Robson joined the meeting at 8.15pm and circulated a sheet containing questions and answers relating to this matter (attached), providing further clarity to his assertion at the last meeting that SBC constitution overrides the YCC constitution.	

5.	Members of the Public	
5.1	A member of the public (MOP) asked if the handrail on the bridge could be attended to as it was dangerous and has been for some time. SAB replied that this is already under discussion with SBC, along with the pathway and steps on the Town Yetholm side and suggested that this was something that Kevin had previously agreed to take on. SB asked if there was a temporary solution which Kevin could undertake to make it safe until such time as SBC could deal with the matter, but as the steps are involved, and this is a matter of public safety, SM said that this is not possible. SM said he will check with ER who will report back on progress.	ER, SM, KL, EG
5.2	A question was asked about the status of the Legacy procedure: SS reported that she had collated all responses received so far, including a box retrieved from the shop, the number of requests running to about 27 A4 pages. The committee has almost finalised a set of criteria to be applied to all applications via a points system. MOP wanted to be assured that criteria would be publicised before money is awarded and they were assured that this would be done before the January meeting at which proposals would be put forward.	HFC, JP, SAB, SS
5.3	MOP asked if the legacy had been to the Community Council or to the village and SS responded that the original bequest of £8,000 had been to the council. A subsequent email informing her of the sizeable legacy had come out of the blue and had come to her as she had been Chairman of the council when the original bequest had been made. This larger bequest was to the village and has no restrictions or conditions attached to it.	
5.4	Youth Hall: The hall is going to be open as a 'warm hub' after Christmas on Mondays and Fridays for approximately 3 hours each time and a Youth Hall representative from the floor asked if the YCC could help towards funding this. SB said that KP was due to have a meeting that very day with a funding source and if the representative could get back to her and let her know figures of the amount being sought, she would report to KP, who in turn would report back to SB. As the posters were due to be printed the following day, the Youth Hall was anxious to know if the YCC should appear on the poster as sponsor. SB to reply to the representative's enquiry, via KP, JP to liaise.	KP, SB, JP
6.	Marquee: Custodianship and Hiring Protocol (NB)	

	<p>NB reported that marquee is currently stored in his garage. He has had discussion with Yetholm School as to possibility of storage; Kelso High School has been very helpful and had offered use of its gym to lay out, clean, dry and refold for storage: this has already been accomplished. A Marquee Group has been formed consisting of two groups of four each, with NB and JP included as CC members. It has been decided that a minimum of four people is needed to erect the tent each time it is used.</p> <p>NB said that a further piece of equipment is needed as a storage facility and asked if the CC would approve a budget of £250 for this purpose. There are no storage costs.</p> <p>NB and committee had determined three categories of use: 1: for village event where no charge is made; 2: event taking place in village but attracting a wider participation such as the annual show, where a charge would be made; 3: rent to an outside party at commercial rates where two members of the Yetholm team would be made available and would be paid by the renter if they were needed; all transport and associated costs, including insurance and any subsequent damage, would be met by the renter. SM said that he had asked SBC legal department for clarification on whether or not the YCC would be deemed 'competent' to run a business. NB to wait for clarification from SBC legal department before proceeding. SB asked if YCC were to be deemed sub-contractor rather than business owner, would this make a difference to the legal ramifications? NB anxious to have clarification so that he can move on with arrangements. ER joined the meeting at this point (8.15pm). There was further discussion of dates and times of agreements, emails and invoice dates relating to the original purchase. Added to which, SS was told at the time that her vote did not count as she did not have voting rights as a Co-opted member: this was untrue, creating further confusion. SM confirmed that such decisions may not be made by email. Discussions can be conducted by email, but decisions may not be made by email, which have to be taken publicly. PFC proposed that the tent be sold as its existence is creating so much contention. SS seconded. SAB proposed that any further discussion be postponed until legal situation re hiring out has been clarified. In answer to NB's question about whether or not he should go ahead with the marquee storage facility item, SAB said there was no point until the future of the marquee had been decided.</p>	
7.	Community Council's Constitution (KP)	
7.1	It was agreed at the October meeting that KP would put forward some proposals re potential changes in the constitution but as she was absent from the meeting, this will have to be postponed to the January meeting.	KP
8.	Portfolio Discussions	
8.1	Housing and Planning (SAB)	
	No new applications have been received.	
8.2	Finance (NB)	

	<p>NB reported that the balance of the YCC account remained as it was last month: £100,000, potentially minus £2,000 which was ringfenced in previous accounts-- potentially to be used towards electric car charging points.</p> <p>Pavilion accounts: Denise Allan has circulated these prior to meeting (attached) which differ from NB's interpretation by approximately £500. Denise maintains that this was the £500 grant originally received from YCC and pointed out that the Pavilion accounts are independently audited. There was discussion as to whether the Pavilion needs to repay this £500 but Denise, supported by SAB, said that the current balance remains entirely to the Pavilion. In the course of Constitution meetings, KP had asked if the Pavilion committee wanted to be independent of the YCC. After further discussion with the full committee, the answer was in the affirmative. NB said that the logistics of a working relationship remain to be worked out and SAB pointed out that the Pavilion had, essentially, been self-sufficient for many years already, and already had a good working relationship with other village groups, including the Festival Committee.</p> <p>Discussion ensued as to the ownership of the Pavilion; SAB says that it is on James Wauchope's land, so it is owned by him, but he (JW) wants nothing to do with the running of it in any way, though he is happy for it to exist as it does. NB said that this was all very well, but if he decided to sell the farm and the land, then they would have no rights. SAB thinks such a scenario highly unlikely. EG asked if the Pavilion would be eligible for grant aid, should it decide to apply for extra funds. NB thought that this would be possible if it had its own constitution. SAB pointed out that the Pavilion already had its own charitable status.</p> <p>NB will prepare a paper for the January meeting setting out his proposals for the Pavilion to proceed as an entity separate from the YCC and the council would therefore vote on this proposition in January.</p> <p>EG asked why the Legacy account and the YCC account had still not been separated and why was it taking so long to do this? And why was it taking so long to get the requirement of three bank cheque signatories sorted out? NB replied that he was still working on this with the Bank of Scotland.</p>	NB
8.3	Village Maintenance and Utilities (EG)	
	Main items this month included discussion of the handrail and steps, Christmas trees and lights installation and the erosion of the path by the river: all dealt with in sections 5 and 10 of the agenda.	
8.4	Education (HFC)	
	Carol Service: there is to be a Primary School Carol Service on December 22, at which all are welcome.	
8.5	Bowmont Valley (PFC)	
	PFC reported that everything in the Bowmont Valley is perfect! ER said that the mobile phone mast is still inactive—still waiting for licence to be granted.	
8.6	Grants and Funding (KP)	
	Though absent from the meeting, KP had sent message to say that she was in the process of looking for funding for the Youth Hall 'warm hub'. (see 5.4 above)	KP
8,7	Tourism (JP)	
	Nothing to report.	

8.8	Health and Social Services (SB)	
	SS reported that Andrew Beveridge has said that it will be January at least, probably February, before he can commit to the installation of the new Defibrillators. It was suggested that James Richardson, who has been working on the Christmas lights, could be asked to deal with Defibrillator connections and Pavilion wiring. SS also said that the code would be made clear when the time comes. It was agreed that the Garage and the Border Hotel would have new equipment installed along with one at the Pavilion.	SB EG, SAB
8.9	Projects & Events/Pavilion (SAB)	
	Pavilion already dealt with above, FT detailed some recent successful Festival Committee fundraising activities, including a Ceilidh.	
8.10	Chair: Website liaison, Public Events	
	Website development ongoing; public events as above.	
9.	Police Report	
9.1	Report for October has been circulated. November report not yet received.	
10.	Scottish Borders Councillors' Update	
	ER conveyed apologies from the lighting department at SBC for its dilatory responses to Christmas tree lighting questions from JP. This was primarily due to seasonally heavy workload.	
	Handrail and steps by bridge: there had previously been discussion about who was responsible for the maintenance of the steps and ER had determined that the original steps had been installed by SBC, so he will investigate further as to the next step to their repair. SM has already reported on the handrail status.	ER
	John Stobart has contacted the YCC about a considerable amount of debris on the road between the bridge and the church, caused by the recent torrential rain. SM will investigate clean-up. ER will circulate information as to which department is responsible for which item.	
11.	Additional Correspondence	
	Circulated as received.	
12.	AOB	
12.1.	EG reported that the Plough Hotel appears to have commandeered the village benches. He will ask Plough to return them to their rightful siting.	
12.2.	Parking in village: subject of difficulty of access by Emergency vehicles has arisen due to inappropriate parking. SAB asked if SBC could paint double yellow lines but ER said that this is impractical because police can't enforce it. SAB thought that they might just be a deterrent but ER said other villages had asked the same question and the police had refused, saying that it would be unenforceable. It was agreed that publicising (via the village website and noticeboards) the necessity for emergency vehicle access, is probably all that can be done at present.	
12.3.	SAB told NB that he may receive an invoice from Stichill Nursery for two trees, but this should be forwarded to SAB. The invoice is for two trees which Stephen Rowe has donated to the village, to be planted alongside the two silver birches, one to be planted between the bridge and the war memorial and the other to be sited closer to Kirk Yetholm. He thanked Stephen for his generosity and the audience applauded too.	
12.4.	SAB thanked Cllr Simon Mountford for attending the Remembrance Sunday service on Sunday November 13 th and also thanked Geoffrey Emerson for playing the Last Post and Reveille. He asked that a letter of thanks be sent to Geoffrey, along with hopes for his speedy recovery to full health.	SUR

12.5.	JP asked about an official address for the CC which he understands is a requirement under standing orders. ER responded that this has been under discussion by SBC for some time, but a definitive conclusion has yet to be agreed. SAB wondered if the village shop address could be used. To be discussed further at a later date.	
12.6.	Re-routing of St Cuthbert's Way: KL asked if there could be some discussion at the January meeting of the possible re-routing of the St Cuthbert's Way path down by the river as there is serious erosion caused by heavy rain resulting in the disappearance of the path at certain points.	ALL

The meeting closed at 21.50pm

The next meeting will take place on Tuesday January 31st, 2023 at 19.00 hrs at Youth Hall, Yetholm