



May 2009

snippets

Some disappointing news regarding our bid to the **Climate Challenge Fund**. The application, which covered the whole of Scottish Borders, has been turned down for a variety of reasons. Among these, the assessment panel felt that it was not a grass-roots, community led bid and that it was regional rather than local. We have been invited to re-submit with a Berwickshire-only bid. At this early stage we are looking at our options so have not decided whether to apply again or not. Once again the silent majority contributed to a missed opportunity.

5 CCs disappeared during the past month because of a lack of nominations. How do we arouse the interest of the silent majority

Only Borders towns with a secondary school plus Innerleithen and Melrose are big enough to apply for funding through the £60m Town Centre Regeneration Fund which will help centres adapt to modern markets, and supply the access, mix of facilities and services and environment that will meet the needs of local communities and businesses. Google Town Centre Regeneration Fund for more information.

Chairman's Comments

My congratulations to Lindsay Neil of the Selkirk Regeneration Group, Vice Chair of Selkirk Community Council. Lindsay is prepared to do battle, prepared to take on all comers as he works hard for the town he loves and has served as a GP for many years.

The Regeneration Group seeks to capitalise on a community asset (the Common) for the benefit of the community. They plan to follow the lead of others and establish a Community Windfarm which could bring income to the town and free energy to the residents of Selkirk – and what does he achieve in trying to mastermind that project – negativity, the bane of democracy?

I can go only by newspaper reports but it would appear that the public meeting, held by the Regeneration Group to discuss the project and seek support, was attended, in the main, by those who were against the idea. This was followed by a community vote which came out in favour of the windfarm – but only just. Some say that as only 10% of the Selkirk population voted then the project should be dropped. Clearly the silent majority could not really care one way or another about turbines on the common. Perhaps it is not negativity that is the bane of democracy; perhaps the weakness is either silence or apathy? Producing income through sensible use of Common Land in any Royal Burgh seems

to support the reasons for the provision of common land in the first place. Lauder lost the opportunity to rent common land to a windfarm developer which would have brought £100k annually over a 20 year period into the Common Good Fund and an additional £40k annually through the windfarm community grant scheme. A small minority of vocal opposition, some with a “not at my back door” attitude, led the way. Why oh why do local councillors and others give sway to one or two who speak out against ideas but seem to ignore those who – unless you approach and ask outright for an opinion – only speak when spoken to?

Lauderdale CC co-hosted a successful Royal Burgh Convention a few years ago, which focussed on Common Good Assets and was followed by a series of petitions to the Scottish Parliament. Lauderdale intends to invite Lindsay Neill and representatives from the other three Royal Burghs (Selkirk, Peebles and Jedburgh) to an informal meeting in Lauder to hear more about Lindsay's plans. In addition I have been working with Frances McCartney (Environmental Law Centre), a solicitor with an interest in Common Land matters, in planning two seminars which will address legal issues associated with Common Land matters – one seminar will be held in Elgin the other in Lanark.
www.elcscotland.org.uk

snippets

TRAINING

Many thanks to those who have already responded to the request for information on training needs. If your CC has not responded by the end of May you will be contacted by telephone by Debbie Philip who has a set of questions to ask. The answers will assist in evidence gathering for the funding application in support of the training programme. Please support the Network and give Debbie an easy 5 minutes by agreeing to answer the questions!!

PLANNING

Page 2 contains information on changes to Planning procedures. There is a need to ensure and exploit consultation with developers and to seek a new approach to the status of proper objections by any CC. More in future editions -including missing on-line documents!!

Scottish Borders Community Councils' Network (SBCCN)



Planning Reform in the Scottish Borders

As the detailed provisions of the Planning etc (Scotland) Act 2006 come into effect, Scottish Borders Council is putting in place new arrangements for dealing with planning applications.

In future planning applications will fall into three categories:

- National Developments (e.g. New Forth Road Bridge) which will be debated through Parliament.
- Major Developments (e.g. Developments on sites of over 2Ha and housing developments of over 50 units) which will be determined by local authority planning committees, and
- Local Developments which comprise all other developments and which will in future be determined mainly by planning officers.

Scottish Borders Council has built in a number of safeguards to the Local Developments category to ensure that contentious applications continue to get full scrutiny by Committee. Other than small scale developments such as house

extensions which are already fully delegated to officers, officers will not be permitted to determine applications in the following circumstances:

- Where there are 5 or more objections from separate households containing valid planning arguments,
- Where there is an objection from a statutory consultee (e.g. SNH, SEPA or Transport Scotland) that would trigger a referral to Scottish Ministers,
- Where it is proposed to approve an application that is significantly contrary to the development plan,
- Where the Council has a financial interest in the development, and
- Where 5 members of the Council consider that the application is of a type that should be determined by Committee.

There will be new consultation requirements relating to Major developments. Developers will be required to consult with Community Councils and hold at least one consultation event before they submit an application for a Major

development. In addition, where a Major development is considered to be a significant departure from the development plan, parties will now have the right to be heard at a hearing before the application is determined.

Community Councils will continue to be consulted on other applications in the same manner as they are at present.

Neighbour notification will now transfer from being the responsibility of applicants to the local authority.

A radical change in the appeal process is also being introduced. In future appeals against decisions by officers will be to a Local Review Body comprising 5 elected members of the Council. Appeals against decisions taken by the Planning and Building Standards Committee will continue to be handled by the Scottish Government through the Directorate for Planning and Environmental Appeals. The right of appeal or review remains restricted to the applicant who may appeal against a refusal or against the imposition of a condition.

Planning applications that require a Committee decision will no longer be presented to Area Committees but will in future all be handled by the Planning and Building Standards Committee and in certain instances the Full Council.

All of the above changes will take effect in August 2009.

With effect from April 2009 all planning and building standards staff have relocated to Newtown St Boswells. Area offices will continue to be used for surgeries where the demand exists and customer services staff across the Borders are available to deal with initial planning enquiries. A comprehensive range of planning information can now be accessed through the Council's web site. On 29 April the Scottish Government launched a National E-planning Portal through which it is possible to access Scottish Borders Council's e-planning service. This service has been operational for 3 years and provides access to all planning application information from the comfort of your own home 24/7.

Scottish Borders Community Councils' Network (SBCCN)



Our Campaign to Reduce Waste



Our Campaign to Reduce Waste (CReW) has been progressing steadily. After 3 attempts at communication with The Co-operative Group (CG) failed to initiate partnership working, help was sought from Michael Moore MP who provided the name and address of the Chief Executive. Letters direct to the latter brought a response from the Director of Food Retailing providing details of the good work the Co-operative Group is doing. A response was emailed

to her which included heart-felt comments from Jenna Agate on the problems with CG staff in Selkirk (lack of support for the Plastic Bag Free campaign in the town). Interpreting the response from the Commercial Packaging Manager suggests that our proposal to have a joint CG and CReW launch at the Selkirk branch is being progressed. Since Jenna Agate's Selkirk campaign led directly to the SBEP initiative she has been asked to head up the SBEP campaign at the launch. The proposal to the CG is that BBC Selkirk, Radio Borders & Tweeddale Press, and representatives of current campaigns be invited which includes Berwick,

Duns and Peebles (any others started should contact John Elliot johnbteri@yahoo.co.uk). CReW has been endorsed by SBC Director of Technical Services and the Community Planning theme team 'A Working Countryside'. Community Councils within the Borders are again asked to try to get CReW operational in all communities with shops, and SB Councillors are again asked to give support at CC meetings. A CReW project plan with progress updated can be viewed at www.onlineborders.org.uk/site/microsites/sbep/home/page by clicking on Library at left. There was a SBEP Networking meeting in March at Council

headquarters of campaigners and some SBC staff, which resulted in an offer from Liz Walthew of The Bridge Liz.Walthew@the-bridge.uk.net to set up an Events page on the SBEP website. Events on climate change, environment and sustainability can be submitted (including Farmers Markets) to John Elliot and Liz Walthew. Those submitting more than a single Event in a month will be given direct access but Events posted directly will be moderated by JE and LW.

Greater Awareness

Caring Attitudes

Wiser Use of Resources

Better Quality of Life

Scottish Charity SC027984

Single Outcome Agreements (SOA)- what does it mean in the Scottish Borders?

Firstly, the SOA has meant a change in the way we do things within Community Planning (New Ways in the Scottish Borders). Because statutory New Ways partners are now accountable to the Scottish Government through the SOA for the achievement of the outcomes, a Borders Strategic Board has been formed. Under the Board sit three themes; Competitive Borders, Healthy Borders and Strong and Safe Borders. The Community Councils' Network will be involved in the future work of Strong and Safe Borders. The first meeting of this group had to be postponed but in the very near future, the Network will become involved as the focus moves towards community engagement and empowerment, as well as Town Centre Regeneration. The Network is also involved in Healthy Borders, through the Public Partnership Forum and New Ways would welcome involvement in Competitive Borders wider stakeholder meetings, should the network believe this would be useful (at the moment, we engage with Chambers of Trade, Equality Fora (Elder Voice, Youth Borders etc), Chamber of Commerce, Export Club, FSB etc) Secondly, SOA is important for both the public sector and for communities because in simple terms, it will help us all see how effective we are being. In the past, a whole range of reporting systems existed- SOA replaces this and will present clear information about performance, for everyone to use. For example, we will measure how many adults with support needs are in employment or training. Those involved with delivery of services, or families and carers can see the impact of work being done and ask "is this enough support? How can we increase these numbers? Do we need to work differently with employers? We should move away from simply reporting on what we did, and be more concerned with the impact it is having.

Scottish Borders Community Councils' Network (SBCCN)



SBC CC Funding Working Party - Remit

Scottish Borders Council has set up, with Community Councils, a Working Group to review the funding and support to Community Councils from 2010/2011 and the purposes for which it is required. It will:

- Identify the purposes for which Community Councils require funding.
- Gather and analyse information on the current funding that is available specifically to Community Councils.
- Gather and analyse information on other funding that Community Councils can access.
- Examine how the core support grant awarded by Scottish Borders Council is used by Community Councils.
- Examine ongoing balances held by Community Councils
- Explore the process for determining grant levels.

SBC CC Funding Working Party— In Kind Support

The CC Funding Working Party is underway. This Newsletter and direct communication from Clare will keep all CCs informed and involved, leading to a presentation at the October Conference. Meanwhile here is information on current support to CCs including insurance .

Scottish Borders Council provides support in kind to Community Councils in many ways e.g. plants for floral displays; Officer time

spent on the support of Community Councils through advice giving and administration; training sessions and the annual conference; preparation and distribution of the monthly newsletter, use of the website and photocopying.

Community Councils have Public and Employers Liability insurance cover, Money cover and Personal Accident cover.

SBC also provide cover for contents

up to a value of £1,000, as long as CCs notify SBC of the items to be placed on cover.

Your public liability insurance provides cover for all the normal activities of a Community Council, which is quite broad. However, any one-off events that Community Councils may organise should be referred to the insurers (via SBC Insurance Section) for consideration by the underwriters who will decide if additional cover is

required.

SBC send out renewal documentation each year in April, together with a reminder that any additions/deletions to your contents cover should be notified to SBC without delay.

A large proportion of CCs do contact SBC with any insurance queries that may arise and SBC are keen to encourage this.

We can provide this document on tape, in large print and various other formats by contacting the address below. In addition, contact us for information on other language translations, additional copies, or to arrange for an officer to meet with you and explain any areas of the publication that you would like clarified.

Clare Malster, Community Engagement Officer

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