

**SCOTTISH BORDERS COUNCIL**  
**BERWICKSHIRE AREA FORUM**

MINUTE of the MEETING of the  
BERWICKSHIRE AREA FORUM held in the  
Chamber, Newtown Street, Duns on 9  
January 2014 at 6.30pm.  
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- Present:- Councillors M. Cook (Chairman), J. Campbell, J. Greenwell, D. Moffat, F. Renton.  
Community Councillors:- Ayton – John Slater, Burnmouth – Lynne Craighead,  
Cocksburnpath – Pauline Hood, Coldingham – Rhona Goldie, Coldstream and  
District – Martin Brims, Cranshaws, Ellemford and Longformacus, - Mark  
Rowley, Duns – David McCormick, Eyemouth Town – Neil McMurdo, Foulden,  
Mordington and Lamberton – Howard Doherty, Gordon and Westruther – Ian  
Thomson, Grantshouse – Kym Bannerman; Hutton and Paxton – June  
McGregor, Reston and Auchencrow – B Forrest.
- Apologies:- Councillor J. Fullarton.
- In Attendance:- Democratic Services Officer (P Bolson).

Members of the Public:- 15  
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**WELCOME AND INTRODUCTIONS**

1. The Chairman welcomed those present and everyone introduced themselves.

**MINUTE**

2. There had been circulated copies of the Minute of 5 September 2013.

**DECISION**

**APPROVED the Minute for signature by the Chairman.**

**PRESENTATIONS**

**ALCOHOL BYELAWS**

3. The Chairman welcomed Ian Wilkie - Head of Corporate Governance, Anne Isles – Legal & Licensing Services Manager, Erin Murray – Business Consultant, Inspector John Scott – Police Scotland and Susan Walker – Drug and Alcohol Development Officer Alcohol and Drugs Partnership to the meeting who together formed the team taking forward the public engagement process on the Prohibition of Consumption of Alcohol in Designated Public Places. Mr Wilkie explained that Scottish Borders Council had given approval at its meeting on 30 May 2013 for a public consultation to commence on the proposed Byelaws and to report back to Council at a future date. Mr Wilkie informed the meeting that Byelaws were made by Local Authorities and then confirmed by Scottish Ministers and noted that Scottish Borders was the only Local Authority in Scotland not to have Byelaws restricting the consumption of alcohol in public places. The public consultation began on 17 June 2013 and was scheduled to close on 17 January 2014 with all five Area Fora having been attended as part of the process. Mr Wilkie confirmed that all Community Councils had received the Council report and other additional information as part of the consultation.
4. Mr Wilkie went on to explain the next steps in the process. Once analysis of the responses to the consultation was complete, draft Byelaws would be submitted to the Scottish Government. A further report would then be submitted to Scottish Borders Council and if approved, would be followed by a Statutory Advert. Mr Wilkie explained that objections could be lodged at this stage and pointed out

that should this be the case, it would delay confirmation of the Byelaws by Scottish Ministers. Mr Wilkie highlighted some of the health issues relating to alcohol consumption and noted that 23% of adults were drinking to harmful levels with 1 out of 2 Scots affected by another person's drinking. He explained that the Scottish Government was not in favour of blanket bans but instead supported restrictions based on specified geographical locations and also exemptions for events such as Common Ridings, summer festivals and New Year. It was noted that the proposed Byelaws would not affect the cafe culture nor unopened containers being carried home from shops. Mr Wilkie confirmed that the Byelaws could be changed in the future but that this would require the whole consultation process to be completed again.

5. A full discussion followed and a number of questions were raised. Members asked how the Byelaws would be enforced and Inspector Scott confirmed that police officers would address this issue appropriate to whether adults or children were involved. In terms of settlements within Berwickshire that had been specified eg because of environmental impact, Mrs Isles confirmed that areas in Coldingham and Eyemouth had been highlighted. It was noted that, in some cases, the views of the local Community Council could be in conflict with the results of the Scottish Borders Household Survey and clarification was sought on how these differences would be prioritised. It was pointed out that the view of the Community Council should be representative of the area and that the community had recourse through the statutory objection period. Inspector Scott explained that Byelaws, rather than current licensing laws were necessary as the latter only applied to premises and the vast majority of young people did not go to pubs to buy alcohol. Mr Wilkie confirmed that where the Byelaws referred to an exemption for ". . . the principal day for the local town festival to be determined and agreed by Council" any flexibility to this would require further discussion with the Scottish Government. The Chairman closed the discussion and thanked Mr Wilkie and his team.

## **DECISION**

**NOTED the presentation.**

## **NHS BORDERS UPDATE**

6. The Chairman welcomed Mr Ed Witkowski, Clinical Locality Manager NHS Borders to the Forum. Mr Witkowski explained that his role within NHS Borders was primarily in the management of community services and went on to note the structure of the NHS in Scotland and that within the Scottish Borders, the local Board was made up of a Chairman and 8 non-executives along with a Chief Executive and Board Executive team. Mr Witkowski highlighted Government policy, clinical standards, quality strategy, targets, efficiency and productivity as some of the issues affecting the work of NHS Borders, as well as partnership working which enabled NHS Borders to work with communities in a more direct way, maintaining quality of service at a time of limited resources and changing demographics. Mr Witkowski noted that NHS Borders had recently renewed its corporate objectives and that delivery of the Scottish Government Patient Safety Programme was key to the successful achievement of these objectives. Mr Witkowski also explained that a review of Primary Care premises and improvement programme would consider options such as shared sites for GPs, Day Service provision etc.
7. Mr Witkowski asked the Forum to consider issues it would like to talk to NHS Borders about and hoped that this would increase the level of public engagement. Members noted that public engagement could be difficult and asked how NHS Borders consulted on matters of local interest such as out of hours stoppage and how information was made available to the public through the media. Mr Witkowski explained that most out of hours contacts were consultations carried out by nursing staff. Recruitment of GPs had proven difficult over a number of years and this had reached a crisis point in 2013. The clinical view was that no deterioration in the service would result from the out of hours service being discontinued as a short term measure. Mr Witkowski confirmed that the minimum staffing requirement would be maintained with specialist nursing being available throughout the night. It was noted that there had been public concern and anxiety relating to the lack of

information available on this issue and it was further noted that public consultation would follow as appropriate. The Chairman thanked Mr Witkowski.

## **DECISION**

**NOTED the presentation.**

### **LOCAL DEVELOPMENT PLAN**

8. The Chairman welcomed Mr Martin Wanless and Mr Philip Graham from the Council's Plans and Research team to present the Local Development Plan to the Forum. Mr Wanless explained that examination/approval of SESplan's strategic plan had been given on 25 June 2013 and public consultation on the Supplementary Guidance ended on 23 December 2013. He went on to explain the Local Development Plan (LDP) process noting that the representation period was due to end in March 2014. Members noted the separate Spatial Strategies for Eastern, Central and Western Berwickshire and Mr Wanless went on to highlight some of the changes which had been made to the Local Plan. In terms of Place Making and Design, quality standards had been extended and included renewable energy, digital connectivity and infrastructure; changes within Economic Development included core activity areas, promotion of regeneration projects and a revised policy on wind energy. Mr Wanless noted how the regeneration/redevelopment of town centres identified the potential of these areas and described the draft framework for Harbour Road in Eyemouth. In terms of Housing, new sites in Berwickshire were identified at Birgham, Duns, Reston, Swinton and Greenlaw and within Environmental Promotion and Protection, key green spaces had been identified with key green networks allowing better access to the countryside. Mr Wanless explained the changes within Infrastructure and Standards and the inclusion of the promotion of rail services in Berwickshire. Amended maps showing the settlements at Duns, Eyemouth and Swinton were included in the presentation. Mr Wanless detailed the next steps in the LDP process, noting that a final report would be presented to Scottish Borders Council in late Spring 2014. This would be followed by submission to Scottish Ministers with examination post Summer 2014 and it was envisaged that the LDP would be adopted by April 2015. Discussion followed and in response to a question on Land Use Strategy, Mr Wanless confirmed that this related only to enhanced use of land. The Chairman thanked Mr Wanless and Mr Graham.

## **DECISION**

**NOTED the presentation.**

### **SBLOCAL SMALL SCHEMES**

9. There had been circulated copies of a report by the Director of Environment and Infrastructure on proposed new SB Local Small Schemes. The report explained that the following schemes had been requested for consideration by the Berwickshire Members and local Community Councils: install planters and soil, Burnmouth; build stone planter at Whitsome; manufacture and erect a bench at Paxton; install fence at The Green, Swinton; install railings at The Orchard, Paxton; repaint the railings at War Memorial, Edrom; install planters and perennial plants, Eyemouth; repaint the mile markers in Berwickshire; install two benches, Reston.
10. There was tabled at the meeting a further list of schemes for consideration as follows: one street nameplate each for Lyall Terrace, Hillfield and Partanhall in Burnmouth; replacement of an existing street nameplate at Upper Burnmouth; one new sign on the main road at the railway bridge at Burnmouth, directing traffic down the brae to Lower Burnmouth, Partanhall, Ross, Cowdrait; replacement bench at Crofts Acre, Cockburnspath; Decorative caps for the Jubilee steps, Hutton and Paxton Community Council; install bench in Hutton wooden bus shelter; install bench in Fishwick wooden bus shelter.

## **DECISION**

**(a) AGREED to approve the following small schemes:-**

(i)	Install 4 planters and soil, Upper Burnmouth	£234
(ii)	Install stone planter, Whitsome play park	£1806
(iii)	Manufacture and erect bench, Back Lane, Paxton	£35
(iv)	Install fence at The Green, Swinton	£670
(v)	Install access railings at The Orchard, Paxton	£1470
(vi)	Purchase flowers and planters for Eyemouth	£995
(vii)	Repaint railings at War Memorial, Edrom	£150
(viii)	Repaint the mile markers in Berwickshire	£220
(ix)	Install 2 benches at the Play Park, Reston	£200
(x)	Street nameplates for Lyall Terrace, Hillfield & Partanhall; Replacement street nameplate at Upper Burnmouth; New directing sign on main road at the railway bridge, Burnmouth	£1000
(xi)	Replacement bench at Crofts Acre, Cockburnspath	£100
(xii)	Decorative caps for Jubilee Steps, Hutton & Paxton Community Council	£200
(xiii)	Install benches in wooden bus shelters at Hutton and Fishwick.	£160

- (b) NOTED that the amount remaining in the Small Schemes budget for Berwickshire was £8330.75.

#### **WOOFS CAMPAIGN**

11. Discussion took place regarding the Woofs Campaign and the supply and funding of plastic bags for owners to collect their dog waste. Councillor Renton explained that the cost of supplying these bags was £2,500 approximately every 5 months and it was becoming progressively difficult to fund the scheme. Ms Bannerman explained that various options had been discussed for the continuation of the scheme, including commitments from dog owners to pledge a monthly sum for supply of bags and a central point of collection of the bags by dog owners. Discussion took place regarding the likelihood of increased street cleaning costs if the scheme was discontinued and the possibility of using money from wind farms to fund the continuation of the scheme. The Chairman summarised the discussion and it was noted that this issue would be progressed via the Borders Community Safety Panel

**DECISION  
NOTED.**

#### **CLEAN UP SCOTLAND CAMPAIGN**

12. Mr Silcock explained that each year, a Clean Up Scotland Campaign was launched nationally and that a range of activities were carried out on a local basis in response to this. It was noted that the next campaign would begin in the Spring of 2014 with another likely to take place at the end of the Summer. It was noted that there were a number of people in Coldstream who were interested in clean up campaigns on a regular basis and it was suggested that further discussion take place with Jim Fraser, SBC's Emergency Planning Officer, with a view to taking this forward via the Resilient Communities.

**DECISION  
NOTED.**

#### **INTERACTION AND COMMUNICATION BETWEEN COMMUNITY COUNCILS AND SBC/SBC REPRESENTATIVES**

13. With regard to communication and interaction between Community Councils and Scottish Borders Council (SBC), the Chairman asked representatives to consider how Community Councils raised issues with the Council and how SBC responded. It was noted that contact could be made by

telephoning Council headquarters, via the Council's website, by electronic means, by approaching a local Elected Member and by contacting the local officer for the area. Discussion followed regarding the various methods and it was noted that not everyone could use or had access to the website or email. Mr Silcock explained that contacting the Council to report an issue initiated a process whereby the problem could be logged and managed effectively by appropriate officers and that this first contact aimed to resolve problems at that point.

#### **DECISION**

**AGREED that this be included as a future agenda item.**

#### **OPEN QUESTIONS**

14. Concern was expressed following the decision by Scottish Borders Council to discontinue the use of green bins. The Chairman explained that the Council was required to collect food waste but that the collection of green waste was not mandatory. He further confirmed that composter bins would be available to anyone on application to the Council and that cessation of green waste collection would produce a saving of £0.5m to the Council.

#### **DECISION**

**NOTED.**

#### **COMMUNITY COUNCIL SPOTLIGHT**

15. There were no items raised.

#### **FUTURE AGENDA ITEMS**

16. Following discussion it was agreed that the following items be included on future agendas:-
  - (a) Police Report.
  - (b) Presentation by Environment and Infrastructure on how communities can contribute to keeping water off the roads; how blocked drains affect rural roads; the impact of heavy lorries using rural roads; the progress of the Council's Roads Asset Management Project.
  - (c) An update on windfarm development in Berwickshire with consideration given to inviting a developer to attend to promote a balanced discussion and the opportunity for communities to interrogate the facts.
  - (d) Fire and Rescue Service provision.

#### **DECISION**

**AGREED that the above items be included on future Berwickshire Area Forum Agendas.**

#### **DATE OF NEXT MEETING**

17. The next meeting of the Berwickshire Area Forum would be held on Thursday, 6 March 2014 at 6.30 p.m. in the Council Chamber, Newtown Street, Duns.

#### **DECISION**

**NOTED.**

#### **SCOTTISH BORDERS COUNCIL BUDGET PRESENTATION**

18. The Chairman informed the meeting that a presentation on the Council's budget would be made to Community Councils during the evening of 27 January 2014 at Council Headquarters, Newtown St Boswells

#### **DECISION**

**NOTED**

*The meeting concluded at 9.15pm.*