

**SCOTTISH BORDERS COUNCIL**  
**TEVIOT AND LIDDESDALE AREA FORUM**

MINUTE of the MEETING of the TEVIOT  
AND LIDDESDALE AREA FORUM held in the  
LESSER HALL, HAWICK on 17 June 2014 at  
6.30 p.m.

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- Present:- Councillors G. Turnbull, (Chairman), A. Cranston, D. Paterson, W. McAteer, S. Marshall, R. Smith.  
Community Councillors Mr W. Roberts (Denholm Community Council), Mrs M. Short (Hawick).
- Apologies:- Community Councillors C. Griffiths (Hobkirk) R. Knight (Burnfoot), T. Stevenson (Upper Teviot & Borthwick Water), Inspector C Wood (Police Scotland)
- In Attendance:- Chief Executive (Items 1 - 4), Station Commander Russell Bell (Scottish Fire & Rescue Service), Neighbourhood Area Manager (A. Finnie), (Democratic Services Officer (J. Turnbull).

Members of the Public:- 26 in attendance.

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**CHAIRMAN'S REMARKS**

1. The Chairman welcomed Councillor Watson McAteer, recently elected Member for the Hawick and Denholm Ward.

**MINUTE**

2. There had been circulated copies of the Minute of the meeting held on 22 April 2014.

**DECISION**

**AGREED to approve the Minute.**

**MATTERS ARISING FROM THE MINUTE**

3. With reference to paragraph 12(i) of the Minute relating to Quality of Life Funding, the Chairman advised that he had attended a demonstration for a specialist street cleaning machine and would be attending a further demonstration in the near future. He would report back at the next meeting of the Area Forum. The cost of the machine had been estimated at £2,525.00 + VAT.
4. The Chairman welcomed Ms T Logan, Chief Executive, Scottish Borders Council (SBC). With reference to Minute No. 15 (b), (c) and (d) Ms Logan advised that there had been a considerable reduction in SBC staff numbers - 244 positions since 2010; Ms Logan clarified that the publicised figures could be incorrect as they showed the number of staff on a particular day and could include seasonal or casual staff and double counted any staff covering sick leave etc. The direct financial savings over the last three years had been £10m; by 2015 the savings would be in the region of £16m. Ms Logan explained that SBConnect was used to improve the Council's engagement and communication with the public. In respect of the corporate credit card she advised that every item of expenditure was business related, all transactions were transparent and open to the public to scrutinise. Details of all payments were available on the internet and were in line with Council policies.

**DECISION**

**TO thank the Chief Executive for attending the Area Forum and clarifying the position in respect of savings, SBConnect and the corporate credit card.**

## **PRESENTATIONS:-**

### **(i) COMMERCIAL RATES**

5. The Chairman welcomed Mr Mark Dickson, Assessor, who was present to give a presentation to the Area Forum on Commercial Rates. Mr Dickson advised that the Assessor was a statutory appointment and was a quasi-independent role – Scottish Borders Council had no influence on rateable value. All non-domestic properties were listed on the Valuation Roll. There was a statutory requirement for five yearly revaluations; each revaluation represented a completely fresh start and new assessment of value. The last revaluation had been on 1 April 2010. The next would be in 2017 (which had been delayed from 2015). Rateable values for commercial premises were based on rental levels as at 1 April 2008. The comparative method was the most commonly used method of valuation and was based on the proposition that rents which had received wide acceptance on the open market were the best indication of the annual value of the properties to which they related. This approach generally provided the most accurate guide to annual value because it took into account different features such as frontage, layout and size. It was important to note that it was the property which was being rated - not the business. Mr Dickson explained the appeals process; appeals could be made by 30 September in a Revaluation year, within six months of a tenant, proprietor or occupier acquiring an interest in the property, if there was an error in the valuation or if the property had been affected by a material change of circumstances. Mr Dickson explained that falls in rental value as a result of market fluctuations such as the recession, were not grounds for an appeal. This meant that rateable values were fixed until 2017, the date of the next revaluation. In response to questions, Mr Dickson advised that differences in rates payable could be because of mandatory, empty and discretionary relief. Rates relief was administered by Scottish Borders Council's Customer Services Team who would welcome any enquiries. Councillor Smith asked for clarification on the reference to non-domestic rates in the Community Empowerment Bill, the Strategic Community Engagement Officer was in attendance and advised that she would investigate and advise Members.

## **DECISION**

**NOTED the presentation.**

### **(ii) CULTURE TRUST**

6. Scottish Borders Council's Cultural Services Manager, Ian Brown, gave a presentation to the Area Forum on the proposal to transfer Community Services from direct Council provision to a charitable trust. Following the decision of full Council on 27 February 2014, officers had been working to develop a business case and a potential implementation model for the Trust and were now undertaking public consultation on the proposal. Officers had been looking at options for delivery of Cultural Services and associated budget savings of £407,000 while, at the same time, protecting front line services, local delivery and putting the services on a positive footing for the future. Two options had been investigated – to keep the services with the Council or to transfer out of the Council to a new Cultural Trust. Mr Brown explained that transferring services to a Trust would enable the vast majority of the savings target to be secured from rates remission (up to 95%) and therefore protect front line services. If the services were kept within the Council the savings would have to be found from closing facilities, streamlining management and backroom support. The services currently in scope for transfer were Libraries and Information services; Museums and Galleries; Archives and local history; Arts Development; Heart of Hawick; Public Halls; Community Centres; and the administrative team that supported these services. A Trust could provide more opportunities, be more demand-led, flexible and responsive to the needs of customers. Nine local authorities in Scotland had already transferred their Cultural Services to a Trust.
7. Following the end of the current consultation period on 31 July 2014, a report would be taken back to Council to determine which services should be included within a Trust with a view to the Trust being launched by October 2015. In response to questions, Mr Brown clarified that the proposal was for one Trust. He advised that current legislation prohibited local authorities from charging for admission to museum collections but a Trust would have the option; however the evidence from others Trusts was that the principle of free admission remained. With regard to the possibility of museum collections being sold by the Trust, Mr Brown explained that it was only the management of the collections that was being transferred not

the ownership, which would remain with the Council. Collections could therefore not be sold by the Trust. Mr Brown clarified that in the 1887 Public Libraries Act, the transfer was permissible as long as a library service was maintained. Integrated libraries and contact centres would remain with the Council but the library support would be provided by the Trust. Hawick in Bloom was not in scope for transferring to the proposed Trust. Mr Lindsay Wood, Heart of Hawick Manager, was in attendance and reported that consultation had taken place with staff from the nine community centres in scope to transfer and there had been no resistance.

## **DECISION**

**NOTED the presentation.**

### **(iii) ROAD ASSET MANAGEMENT PLAN 2013 – 2018**

8. The last presentation of the evening was by the Mr David Richardson, Asset Manager, and concerned the Roads Asset Management Plan (RAMP). A RAMP defined the strategy, policies and operational standards for managing and maintaining the Council's roads asset and could be described as the processes designed to ensure that the roads were maintained as efficiently and effectively as possible within the available budget. With regard to an assessment of road condition, Mr Richardson explained that the Road Condition Indicator (RCI) used nationally to measure the condition of the current road network, consisted of a number of condition measures, including longitudinal profile, lane rutting, texture of the road surface and cracking. Lengths of road were classified as Red: where maintenance was required; Amber: required further investigation and monitoring; and Green: where condition was satisfactory but where an odd defect might exist. The RCI was the sum of the Red and Amber classification expressed as a percentage of the total length of road, the current RCI in the Borders being 41.7%. The presentation looked at the different treatments and methods of patching available, which could be categorised as either preventative or corrective and the merits of each relative to their costs. Looking at funding options he explained that current spend plans could not begin to address the wholesale removal of defects and to eliminate all Red and Amber sections would require a "one-off" spend of £65m. To keep the road network in its current state would require £4.3m per annum. Mr Richardson advised that in 2014/15 the Council would spend a total of £2.1m on surface treatment of the road network, allocated to £1.2m on preventative treatment and £0.9m on corrective treatment. Mr Richardson concluded by stating that the key to management of the roads asset was the right repair, in the right place at the right time.
9. Copies of the Asset Programme of Revenue and Capital Works for the Teviot and Liddesdale Area 2014/2015 had been circulated with the Agenda. Mr Richardson advised that the Braid Road had been repaired in sections, the section to Greenhead Terrace was to be completed but he would clarify and report back to Councillors. Councillor Smith asked that in relation to the B6357, where repairs were required every year, why the Council did not enforce a Timber Transport Plan, similar to other local authorities. Mr Richardson stated that he understood that Timber Transport Plans could only be used on consultation routes but he would clarify the position with the Network Manager. The Timber Transport fund had strict criteria and had to be match funded. Mr Richardson agreed that basic maintenance of ditches had been poor, but advised that the Council had acquired a paid for service in plant and machinery which meant that last year more ditching work had been carried out than in the past. The Neighbourhood Area Manager added that the biggest problem had been complying with SEPA with regard to disposal of material, the paid for service meant that they could dispose on site, if ditches were wide enough, and SBC did not have to incur the cost of landfill, which was approximately £100.00 per tonne.

## **DECISION**

**NOTED the presentation**

### **NEIGHBOURHOOD SMALL SCHEME WORKS**

10. There had been circulated copies of a report by the Service Director for Neighbourhood Services seeking approval for new neighbourhood small schemes from the Area Forum. The following schemes had been requested for consideration by the Teviot and Liddesdale Members:- provide shelter at Wellogate Cemetery Extension, Hawick, grass cutting at The

Mote, Hawick and footpath repairs at Wilton Path Garden, Hawick. Updated previously approved Small Schemes were listed in Appendix A to the report. The Neighbourhood Area Manager reported that the decision in respect of grass cutting at The Mote was required retrospectively, as the grass cutting had taken place. He clarified that there was no longer a remote cutter, the cutting now being carried out by a contractor using a harness.

#### **DECISION**

**(a) AGREED the following new Neighbourhood Small Schemes for implementation:-**

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|---|---------------|
| <b>(i) Provide shelter at Wellogate Cemetery Extension Install dropped kerbs on Maxton Court, Hawick.</b> | <b>£3,200</b> |
| <b>(ii) Grass cutting at The Mote, Hawick; and</b>  | <b>£400</b>   |
| <b>(iii) Footpath repairs at Wilton Path Garden, Hawick</b>   | <b>£1,580</b> |

#### **RE-DETERMINATION OF PUBLIC RIGHTS OF PASSAGE OF MELGUND BRIDGE, HAWICK – DH15/3**

11. There had been circulated copies of a report by the Service Director Commercial Services proposing to re-determine the public rights of passage to Melgund Bridge, Hawick from carriageway to footway so as to prevent use by vehicular traffic but allowed continued use by pedestrians. Melgund Bridge was situated in the town of Hawick and formed part of the DH15/3 public road. The road links to the town centre with the “Terraces” area of the town and was currently used by both vehicular and pedestrian traffic. Due to identified deterioration to part of the bridge structure it had been closed to vehicular traffic since early November 2013. During this time, however, it had been possible to cordon off part of the bridge to allow continued pedestrian use. During the time the road had been closed to vehicular traffic no complaints had been received by Scottish Borders Council. Local residents and pedestrian users of the bridge, had intimated that their preference was for the bridge to be permanently closed to vehicular traffic. The Asset Manager and Network Manager of the Council’s Commercial Services section supported this view. Police Scotland and The Scottish Fire and Rescue Service had been consulted regarding the proposal and had raised no objections

#### **DECISION**

##### **AGREED**

- (a) The redetermination of the public rights of passage to Melgund Bridge from carriageway to footway so as to prevent use by vehicular traffic but allow continued use by pedestrians; and**
- (b) To delegate authority to instruct the confirmation of the order to the Council’s Commercial Services Director – Place, provided there were no substantive objections.**

#### **EXPERIMENTAL TRAFFIC REGULATION ORDER – ONE WAY ON LANGLANDS ROAD.**

12. There had been circulated copies of a report by Service Director Commercial Services proposing to introduce a Traffic Regulation Order for an experimental one-way traffic operation along a length of Landlands Road, Hawick. Representations had been made to the Council raising concerns about the speed of traffic and associated road safety concerns in Langlands Road, Hawick. An investigation into the extent of the issues reported was undertaken and it was agreed with residents, Members and Police Scotland that a system of one-way working should be trialled. The experimental Traffic Regulation Order was proposed for a period of six months. After which further consultation and a further report would be required to make the Order permanent.

#### **DECISION**

##### **AGREED**

- (a) To approve the making of the Scottish Borders Council (Langlands Road, Hawick) (Experimental One-Way) (Traffic Regulation Order) 2014 to implement an**

**experimental one-way traffic operation in respect of Langlands Road, from the Roadhead junction eastbound to the Rosalee Brae junction in Hawick; and**

- (b) To request that the Assistant Engineer report back to the December Meeting of the Forum with an update on the Experimental Order.**

#### **POLICE SCOTLAND**

13. Inspector Wood had circulated a report on performance, activities and issues across the Ward for the period up to 17 June 2014. The report highlighted that there had been a 14% reduction in reported crime compared to the same period last year with a 15.33% decrease in solvency over the same timescale. Five Anti Social Behaviour Fixed Penalty Tickets were issued during May 2014, targeted patrols continued in areas where youth issues and dog fouling had been identified. Thirty five stop and searches had been carried out during May 2014 which resulted in seven seizures of alcohol from underage drinkers. Three items of drugs had been recovered through street searches during the same period. Nine road checks had been carried out; one conditional offer was issued to a driver using a mobile phone, and one conditional offer to a driver for a seatbelt offence. One conditional offer was issued to a motorist for a speeding offence during the same time period. The Forum were concerned at the 5% drop in the solvency rates over the period and the Chairman would contact Inspector Wood for clarification.

#### **DECISION**

**NOTED the report.**

#### **SCOTTISH FIRE AND RESCUE SERVICE**

14. Station Manager Russell Bell, Scottish Fire and Rescue Service was in attendance and had circulated a report on Scottish Fire and Rescue Service activity for the month of May 2014. There had been three non-deliberate house fires, with one casualty. There had been seven open fire occurrences – one controlled burning, three non deliberate and three deliberate; one assistance to Ambulance service and one water rescue, There had also been 11 unwanted fire signals. The Local Fire and Rescue Plan for Scottish Borders 2014-2017 had been approved following its consultation period the subsequent ward plans for Hawick and Denholm and Hawick and Hermitage would follow in due course. Mr Russell confirmed that a Fire Officer would be in attendance at Burnfoot Carnival. Councillor Marshall reported that there were concerns at Silverbuthall and Dickson Street flats, property had been left in the stairwells which caused a fire hazard. Mr Russell stated that the difficulty was trying to locate the owner of the property but that he would target these areas again.

#### **DECISION**

**NOTED the report.**

#### **OPEN QUESTIONS**

15. (a) A member of the public asked why three signposts in the town (two at Sainsbury and one in the High Street) were not of the standard design laid down in the Regeneration Plan, the Chairman would investigate.
- (b) A question was asked regarding the Boundary Commission's consultation on reduction of the number of councillors, the proposal was to reduce from 34 to 32 councillors. Councillor Marshall reported that Scottish Borders Council had responded to the consultation requesting that the status quo remain and a response from the Boundary Commission was awaited.
- (c) A question on Land Review Reform was asked and whether the inventory of Common Good properties had been completed
- (d) A question was asked if consideration had been given to the Great Tapestry of Scotland being located in Hawick – at Drumlanrig Tower or the Tower Mill. Councillor Paterson responded that it had been suggested at Council but that a feasibility study had been undertaken, the outcome of which was to locate the Tapestry at Tweedbank and this was the option that Members had agreed. A

detailed business case was being prepared and would be reported to Council in the near future.

**DECISION  
NOTED.**

**COMMUNITY COUNCIL SPOTLIGHT**

16. Mrs Short, Hawick Community Council reported that Hawick Common Good had agreed to their proposal for a circular walk around Willestruther Loch. Hawick in Bloom floral baskets had been erected. Letters had been sent to Hawick businesses asking if they would be interested in attending a meeting regarding the High Street Project. They were entering the Floral Gateway Competition and had asked businesses to improve and enhance their properties. There would be a meeting with Banks Renewables on 14 July
17. Mr Roberts, Denholm & District Community Council, reported that the main focus for the Community Council was the proposal for erection of a Wind-farm at Birneyknowe which they were opposing. A public meeting was to be held to discuss the proposal. The Community Council had submitted a response objecting to the process which they felt lacked transparency, furthermore requesting a response within 21 days was unrealistic. The Borders Walking Festival was going ahead.
18. The Burnfoot Carnival would take place on 5 July 2014.

**DECISION  
NOTED the reports.**

**DATE OF NEXT MEETING**

19. Agreed that the next meeting be held on 19 August 2014 at 6.30 pm in the Lesser Hall, Hawick.

*The meeting concluded at 8.50 pm.*