

**Please find attached the Public Minutes in respect of
Item 7 on the agenda for the above meeting**

7.	<p>Committee Minutes</p> <p>Consider Minutes of the following Committees:-</p> <ul style="list-style-type: none"> (a) Peebles Common Good Fund 25 May 2016 (b) Tweeddale Area Forum 25 May 2016 (c) Jedburgh Common Good Fund 1 June 2016 (d) Kelso Common Good Fund 1 June 2016 (e) Cheviot Area Forum 1 June 2016 (f) Police, Fire & Rescue and Safer Communities Board 3 June 2016 (g) Community Planning Strategic Board 9 June 2016 (h) Civic Government Licensing 10 June 2016 (i) Pension Fund 16 June 2016 (j) Pension Board 16 June 2016 (k) Planning & Building Standards 27 June 2016 (l) Audit & Risk 28 June 2016 (m) Jedburgh Common Good Fund 29 June 2016 (n) Peebles Common Good Fund 29 June 2016 (o) Local Review Body 18 July 2016 (p) Planning & Building Standards 18 July 2016 (q) Civic Government Licensing 22 July 2016 (r) Lauder Common Good Fund 2 August 2016 	5 mins
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(a)	Peebles Common Good Fund	25 May 2016
(b)	Tweeddale Area Forum	25 May 2016
(c)	Jedburgh Common Good Fund	1 June 2016
(d)	Kelso Common Good Fund	1 June 2016
(e)	Cheviot Area Forum	1 June 2016
(f)	Police, Fire & Rescue and Safer Communities Board	3 June 2016
(g)	Scrutiny	9 June 2016
(h)	Civic Government Licensing	10 June 2016
(i)	Pension Fund	16 June 2016
(j)	Pension Board	16 June 2016
(k)	Planning & Building Standards	27 June 2016
(l)	Audit & Risk	28 June 2016
(m)	Jedburgh Common Good Fund	29 June 2016
(n)	Peebles Common Good Fund	29 June 2016
(o)	Local Review Body	18 July 2016
(p)	Planning & Building Standards	18 July 2016
(q)	Civic Government Licensing	22 July 2016
(r)	Lauder Common Good Fund	2 August 2016

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SCOTTISH BORDERS COUNCIL
PEEBLES COMMON GOOD FUND SUB-COMMITTEE

MINUTE of MEETING of the PEEBLES
COMMON GOOD FUND SUB-COMMITTEE
held in the Council Chamber, Memorial Hall,
Innerleithen on 25 May 2016 at 5.00 p.m.

Present:- Councillors W. Archibald (Chairman), C. Bhatia, K. Cockburn (during
para 8), G. Garvie, G. Logan. Community Councillor L Hayworth.
Apology:- Councillor S. Bell.
In Attendance:- Capital and Investments Manager, Solicitor (G. Nelson), Estates Officer
(J. Morison), Democratic Services Officer (K. Mason).

Members of the Public:- 1 .

1. **MINUTE**

The Minute of Meeting of Peebles Common Good Fund Sub-Committee of 31 March 2016 had been circulated.

**DECISION
NOTED.**

2. **ORDER OF BUSINESS**

The Chairman varied the order of business as shown on the agenda and the Minute reflects the order in which the items were considered at the meeting.

3. **URGENT BUSINESS**

Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Chairman was of the opinion that the item dealt with in the following paragraph should be considered at the meeting as a matter of urgency, in view of the need to make an early decision.

4. **ACCESS TRACK – PEEBLES COMMON GOOD – VENLAW WOODLAND**

The Estates Manager advised on a request received from Mr Scott Rae who had a garage to the rear of his house, where the access to the garage was up the grass track which was part of the Common Good's Venlaw woodland. Mr Rae had requested permission to scrape off the soil and grass up the grass track so that he could get his car into the garage in wet weather when the ground was muddy. Mr Rae thought there was stone beneath the grass which would give a solid base. The track was a core path and the Estates Manager had consulted with the Council's outdoor access officer, who did not object as long as the core path was closed for as short a time as possible and the work was carried out safely. Also any excess soil would have to be disposed of appropriately so that the area was left clean and tidy. Mr Rae was in attendance and he answered Members' questions.

DECISION

AGREED to permit Mr Scott Rae to scrape off the soil and grass up the grass track which was part of the Common Good's Venlaw woodland subject to liaising with the Core Paths Team and ensuring that the track was left in a tidy condition.

5. **ACCESS RIGHTS TO THE GEORGE MEIKLE KEMP MEMORIAL, MOY HALL**

With reference to paragraph 8 of the Private Minute of Meeting of 2 March 2016, there had been circulated copies of a report by the Service Director Assets and Infrastructure on the access rights to the George Meikle Kemp Memorial at Moy Hall seeking approval to change the access rights subject to a preferred route being agreed for a new general use path from Peebles to Eddleston. George Meikle Kemp was the designer of the Scott Monument in Edinburgh. Peebles Town Council acquired the Kemp Memorial with access rights from the

A703 at Moy Hall in 1935. The neighbouring farmer was seeking planning permission for a new house and proposed to change the access route to the Kemp Memorial. The formal consent of the Peebles Common Good Sub-Committee was required to change the access rights to the Kemp Memorial and a condition of this change of access could be that the new cycle track was routed through the grass field instead of along the edge of the A703. Mr Jeremy Cunningham, Sustrans and Mr Stewart Anderson, representing the neighbouring farmer were in attendance. Mr Anderson advised he had discussed the report by the Service Director of Assets and Infrastructure with his clients James and Kenneth Watson. He advised that his clients were not opposed to the proposed Sustrans path and had said from the outset that, where they were able, they would make land available to improve the route and its safety. It was helpful to see the plans for Options 1 and 2 as detailed in the report. Option 1, the ideal route, was unfortunately not possible because the path passing on the west side of Moy Hall would have too great an impact on the amenity of that house. If Option 1 was all that would satisfy the Sub-Committee and Sustrans then his clients had decided that they would prefer to withdraw their application for planning consent for the new house and the new road junction. However, by way of compromise, his clients were able to offer Option 3 as detailed in his submission. Mr Anderson explained this option gave Sustrans all that it was asking with the exception of the short section on the west side of Moy Hall and greatly improved the safety of the route. Sustrans might even be able to negotiate further improvements with the proprietor of Moy Hall. In any event, and as noted on the plan in the Service Director's report, safety at the pinch point could be improved by widening of the pavement, raising kerbs, or possibly even by provision of a metal safety barrier. There was one further important point Mr Cunningham raised relating to road safety at Moy Hall and which had not been mentioned in the Report regarding Access Rights to the George Meikle Kemp Memorial at Moy Hall. A fundamental aspect of the current planning application that his clients had made for the new house and new road junction was that it would make a major improvement to road safety for access to and from Moy Hall. The present access was constructed almost a century ago and, in view of the huge increase in road speeds, was now unsafe. It was steep, it met the A703 at an acute angle, and it had very limited visibility to the south. There had been a considerable number of accidents on this stretch of the A703 in past years and an improvement in safety at Moy Hall was much needed. The design for the new junction addressed all of these weaknesses and had the full support of Roads Planning at Scottish Borders Council. Mr Cunningham asked if consideration of the matter could be deferred to a future meeting to allow for further negotiations to ascertain if they could arrive at a solution which satisfied all parties concerned.

DECISION

AGREED to continue consideration of the matter to a future meeting of the Sub-Committee.

6. MONITORING REPORT FOR 12 MONTHS TO 31 MARCH 2016

There had been circulated copies of a report by the Chief Financial Officer providing details of the income and expenditure for the Peebles Common Good Fund for the year 2015/16 including balance sheet values as at 31 March 2016 and the proposed budget for 2016/17. Amended Appendixes 1, 2 and 3 were tabled at the meeting. Appendix 1 provided the actual income and expenditure for 2015/16. This showed a surplus of £10,480 for the year and a projected surplus of £22,020 for 2016/17. Appendix 2 provided a balance sheet value as at 31 March 2016. It showed a decrease in the reserves of £33,730, mainly due to depreciation. Appendix 3 provided a breakdown of the property portfolio showing actual rental income and property expenditure to 31 March 2016 where applicable and the 2015/16 depreciation charge. Appendix 4 showed the value of the Newton Fund to 31 March 2016. In response to a question raised, the Capital and Investments Manager undertook to ascertain income and expenditure in respect of parks. Members unanimously agreed that the proposed budget for 2016/17 as detailed in Appendix 1 to the report for grants and other donations be increased from £21,000 to £36,000.

DECISION

AGREED:-

- (a) to note the actual income and expenditure for 2015/16 detailed in Appendix 1 to the report;
- (b) the proposed budget for 2016/17 as shown in Appendix 1 to the report as amended in that the proposed budget for 2016/17 for grants and other donations be increased from £21,000 to £36,000.
- (c) to note the final balance sheet value to 31 March 2016 as detailed in Appendix 2 to the report;
- (d) to note the summary of the property portfolio detailed in Appendix 3 to the report; and
- (e) to note the current position of the investment in the Newton Fund detailed in Appendix 4 to the report.

7. APPLICATIONS FOR FINANCIAL ASSISTANCE

DECLARATION OF INTEREST

Community Councillor L. Hayward declared an interest in the following application.

(a) **Peebles Community Trust**

There had been circulated copies of an application for financial assistance from Peebles Community Trust in the sum of £1,500 to instruct a specialist lawyer to draw up revised Articles of Association for the Trust, which would enable them to undertake a Community Right to Buy bid for land or buildings, or to accept the transfer of an asset. In order to do this, the trust needed to have Articles of Association which were compliant with the recently adopted Community Empowerment (Scotland) Act. Members discussed the application and a suggestion was submitted that Peebles Community Trust be granted a loan in the sum of £1,500.

Vote

Councillor Garvie, seconded by Councillor Archibald, moved that the application be continued to a future meeting to allow for sight of up to date accounts

As an amendment, Councillor Bhatia, seconded by Councillor Logan moved that Peebles Community Trust be granted a loan for £1,500 with a time limit being put in place.

Vote

Motion - 2 votes

Amendment - 2 votes

Councillor Archibald exercised his casting vote in favour of the motion and accordingly the application was continued to a future meeting to allow up to date accounts to be submitted to the Sub-Committee.

DECISION

AGREED that consideration of the application be deferred to a meeting to be held on 29 June 2016 to allow Peebles Community Trust to submit a copy of up to date accounts.

(b) **Peebles Scout Group**

There had been circulated copies of an application for financial assistance in the sum of £20,000 from Peebles Scout Group towards the provision of a new Scout Hut. The current Scout Hut dated back to 1911 and desperately needed to be replaced to secure the future of the Scout Group for generations to come. The Hut was used nightly by the group for their core activities and provided a base for any additional activities outwith the Group's regular meetings. Despite its current condition, Peebles Scout Hut was a major factor in the success of Peebles Scout Group as it contributed to the sense of identity of the Group Members and provided continuity of belonging as the young people progressed through the various Sections during their Scouting career. The new building would be available to the Community outwith regular meetings of the Scout Group and the Group's research confirmed that there was demand from Community Groups for a Hall of this size in Peebles.

Vote

Councillor Logan, seconded by Councillor Archibald, moved that Peebles Scout Group be granted the sum of £10,000.

As an amendment Councillor Bhatia, seconded by Councillor Garvie, moved that Peebles Scout Group be granted the sum of £20,000.

On a show of hands Members voted as follows:-

<i>Motion</i>	-	<i>2 votes</i>
<i>Amendment</i>	-	<i>2 Votes</i>

The Chairman exercised his casting vote in favour of the motion and accordingly Peebles Scout Group was granted the sum of £10,000 subject to securing the other elements of fundraising.

DECISION

AGREED to grant the sum of £10,000 to Peebles Scout Group, subject to the Group securing the other elements of fundraising.

(c) **Peeblesshire Youth Trust**

There had been circulated copies of an application for financial assistance from Peeblesshire Youth Trust in the sum of £10,000 to assist the Trust in their work, specifically to deliver the Peebles element of their Achieve Your Potential Course. Three primary schools in Peebles all engaged with, and valued, the course as a key way of assisting vulnerable children in the transition to the High School. Members discussed the application and although supportive of the work of the Trust, they expressed concern that the application was for core funding. Mrs Haslam, Programme Manager, Peebles Youth Trust was in attendance and explained that the application was based on the amount of pupils attending the course from Peebles Schools.

DECISION

AGREED to refuse to grant Peeblesshire Youth Trust the sum of £10,000.

MEMBER

Councillor Cockburn joined the meeting during discussion of the following item.

8. **NEW LEASE TO PEEBLES TENNIS CLUB, SPRINGHILL ROAD, PEEBLES**

There had been circulated copies of a report by the Service Director Assets and Infrastructure on the current lease with Peebles Tennis Club seeking approval for a new lease and to carry out tree works at the tennis courts. Peebles Tennis Club was granted a

25 year lease in 2000 for the lease of the tennis courts and clubhouse at a rent of £1 if asked. The Club had plans to renovate the tennis courts and clubhouse but required a longer lease in order to raise the grant funding. The tall Cypress trees were causing problems and it was proposed to replace them with a hedge. In response to a question raised the Estates Officer advised that the Tree Preservation Officer supported the Club's plans to remove the Cypress trees. Community Councillor Hayward pointed out that there was an error in the Council's website in relation to the planning application. Members agreed to defer consideration of the report until more information was received from Peebles Tennis Club in relation to their financial position.

DECISION

AGREED to defer consideration of the report to a meeting of the Peebles Common Good Fund Sub-Committee to be held on 29 June 2016.

9. **PRIVATE BUSINESS**

DECISION

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 6 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

10. **LAND SALE AT ELIOTS PARK, PEEBLES**

The Sub-Committee agreed to the recommendation in the report to sell an area of land at Eliots Park, Peebles.

The meeting concluded at 6.25 p.m.

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SCOTTISH BORDERS COUNCIL
TWEEDDALE AREA FORUM

MINUTE of the MEETING of the
TWEEDDALE AREA FORUM held in
the Memorial Hall, Innerleithen on 25
May 2016 at 6.40 p.m.

Present:- Councillors W. Archibald (Chairman), C. Bhatia, K. Cockburn, G. Garvie,
G. Logan.
Community Councillors L. Hayward, C. Lewin, G. Parker.

Apologies:- Councillor S Bell. Community Councillors R. Howard, R. Tatler, G. Tulloch.
Mr K. Langley, Scottish Fire and Rescue Service, Inspector M. Bennett,
Police Scotland.

In Attendance:- Neighbourhood Area Manager (Tweeddale) (Mr J Hedley), Design Team
Leader (Engineering) (Mr D. Johnston), SB Local Area Manager (C.
Blackie), Sergeant D. Marker (Police Scotland), Democratic Services
Officer (K. Mason).

Members of the Public:- 3.

1. MINUTE

1.1 There had been circulated copies of the Minute of the Meeting held on 2 March 2016.

**DECISION
NOTED.**

1.2 With reference to paragraph 4 of the Minute, The Chairman asked the Democratic Services Officer to liaise with Mr Bill Elliot, Regional Community Team Manager, Scottish Water regarding possible visits by the Chairmen of Community Councils in the Tweeddale Area to Talla Reservoir.

**DECISION
AGREED that the Democratic Services Officer would liaise with Mr Bill Elliot, Scottish Water to ascertain if arrangements could be made for the Chairmen of Community Councils in the Tweeddale Area to visit Talla Reservoir and report back to the next meeting.**

2. MINUTE

There had been circulated copies of the Minute of Meeting of the A72 Action Sub-Committee held on 24 March 2016.

**DECISION
NOTED.**

3. PRESENTATION – TWEED FORUM

3.1 Mr Hugh Chalmers, Collaborative Action Coordinator, Tweed Forum advised that the aim of the Forum was to promote the wise and sustainable use of the whole Tweed catchment through holistic and integrated management and planning. The Forum was currently working with land managers to bring about good ecological status through habitat restoration; wetland creation; riparian enhancements; morphological restoration; woodland planting; invasive species control etc. He referred to recent restoration projects in the Tweed catchment and gave background information in

relation to the Eddleston Water Project and natural flood management techniques. In regard to the Eddleston Water Project the core aims were to (a) investigate the potential of reducing the risk of flooding to the communities of Eddleston and Peebles by restoring natural features within the catchment; (b) improve the river habitat for wildlife and fisheries; (c) work with landowners and communities in the Eddleston valley to maximise the benefits they would gain from such work while maintaining farm business productivity/profitability. Ancillary aims, objectives and opportunities were highlighted. A summary of the practical outputs and outcomes for the Eddleston Water Project were (a) 66 hectares of riparian woodland created; (b) 16,000 metres of fencing erected; (c) 1.8km of river re-meandered; (d) 56 “flow restrictors” installed; (e) 13 leaky ponds created; (f) over 70,000 trees planted; (g) 23,000 tonnes of carbon sequestered (over 100 year period); and (h) waterbody status under WFD had gone from “Bad” status to “Moderate”.

- 3.2 Discussion followed and a number of questions were answered by Mr Chalmers. A suggestion was made by Councillor Garvie that interpretation boards giving information on the River Tweed be put in place and Mr Chalmers was asked to liaise with Mr Hedley, Neighbourhood Area Manager (Tweeddale). Councillor Garvie agreed that an open invitation be issued to Tweed Forum to attend full Council to give a presentation. The Chairman thanked Mr Chalmers for his presentation.

DECISION NOTED.

4. PRESENTATION - DIRTPOT CORNER

- 4.1 Mr David Johnston, Design Team Leader (Engineering) advised that the A72 was the main east-west link between Tweeddale and the Central Borders and it carried approximately 6,400 vehicles every day. The steep slopes adjacent to Dirtpot Corner had had a history of instability and previous landslips had led to lengthy road closures and significant disruption on this main east-west link. To reduce the likelihood of landslips on the slope above the road the Council had undertaken slope stabilisation works, the most recent of which added further structural netting and was completed in January 2013. The existing road geometry at Dirtpot Corner was sub-standard. The carriageway width and road alignment was such that two larger vehicles could not pass each other if they met in the vicinity of the bend. The narrow carriageway width was exacerbated by the lack of any roadside verges as masonry walls sat immediately adjacent to the carriageway. A number of personal injury accidents had occurred at the corner, with 2 personal injury accidents occurring during 2015. However, the site was not currently classed as an Accident Cluster Site (i.e. 3 or more personal injury accidents over 3 year rolling period). The topography at Dirtpot Corner was particularly challenging and the road was located 7m above the River Tweed and sat below very steeply rising ground which had a gradient in excess of 1 in 1. A riverside masonry wall supported the road above the river and in some places retained up to 1.5m. Sections of the retaining wall were leaning and the wall was in a poor state of repair. The wall was damaged during the recent traffic accidents and the wall did not meet modern standards as a road restraint system. Previous assessment work had discounted the very large and expensive schemes involving bridges over the River Tweed. Officers and Members were keen to develop a more efficient solution with less environmental impact. Ground investigation works were undertaken in October and November 2015 to inform the design and several structural solutions had been reviewed and developed and initial costs obtained. Following a review of options widening on the hill side was discounted in preference to widening on the river side.
- 4.2 Mr Johnston explained the preferred solution involved an “innovative” hybrid structural solution to mitigate the environmental impact and to keep costs to a minimum. The

proposed solution involved stone filled baskets connected to drilled anchors into the rock slope at the lower level. The stone filled baskets would give a sympathetic/rustic finish to the lower sections of the wall and would ensure that in the event of flooding the wall would not be adversely affected. At higher levels it was proposed to utilise a reinforced earth solution. This solution involved a facing system connected to a "geogrid" – a type of polyester/plastic mesh which extended back into the area to be backfilled and which was connected to the front face of the slope. Where room permitted the design would utilise a green reinforced earth solution above flood levels. It was anticipated that the improvement works would be concluded during November/December 2018. The Chairman thanked Mr Johnston for his presentation.

**DECISION
NOTED.**

5. DOG FOULING AND LITTER

The Chairman welcomed Mr Craig Blackie, SBC's Neighbourhood Area Manager to the meeting to provide an update on how the Council was working to decrease dog fouling in the area. Mr Blackie advised that 3GS was a private company now employed by SBC for a trial period of one year to reduce dog fouling. Two wardens would be in post before the end of June. The wardens would operate on an intelligence-led basis, ie would respond to complaints of dog fouling at specific locations. A full report would be submitted to Council at the end of the trial. Mr Blackie explained how the wardens would operate and the facilities which were available to them. Problem with littering could also be dealt with by the wardens, again on an intelligence-led basis. Mr Blackie explained that a Green Dog Walker campaign was currently running in Newtown St Boswells. The project, which encouraged dog walkers to clean up where dog fouling had been left by others, had been successful so far and further information was available on the Council website. Discussion followed and a number of questions were answered by officers. The wardens' role in the trial year was to revitalise enforcement and identify the culprits. Depending on the outcome of the trial, there were other duties such as checking dogs for chipping which could be added to their remit. Mr Blackie confirmed that there was an on the spot fine of £80 for the dog owner for each offence. The costs for running the warden service would be covered by any fines and SBC and 3GS would receive an equal share of any remaining profit. The Chairman thanked Mr Blackie for attending the meeting.

**DECISION
NOTED.**

6. NEIGHBOURHOOD SMALL SCHEME WORKS/QUALITY OF LIFE

There had been circulated copies of a report by the Service Director Neighbourhood Services on proposals to deliver projects throughout the Tweeddale area using Neighbourhood Small Schemes and Quality of Life budgets for 2016-17. Furthermore, the report sought that delegated authority to decide on Quality of life and Small Scheme proposals be granted to the Service Director Neighbourhood Services, subject to consultation with and majority approval of Tweeddale members. The following Neighbourhood schemes had been requested for the consideration of the Tweeddale members from quality of life budget: - (a) to fund alterations to the play equipment at Alexandra Park, Walkerburn and to install a new item of equipment - £8,035.00; (b) to install fencing around the SUDS (Sustainable Urban Drainage System) adjacent to Muscat Brae, Clovenfords - £880; and (c) to repair the millennium notice board, Clovenfords - £707. Delegated authority to propose projects and gain Members agreement to those projects was sought to ensure continuity and efficiency of delivery for proposals throughout the year. Reports on proposals would continue to be reported

to the Tweeddale Area Forum and progress updates would also continue to be given throughout the year. Councillor Logan thought that some work had already taken place to repair the millennium notice board.

**DECISION
AGREED:-**

- (a) to approve funding for the following quality of life schemes:-
 - (i) alterations to the play equipment at Alexandra Park, Walkerburn and to install a new item of equipment - £8,035.00.
 - (ii) installation of fencing around the SUDS (Sustainable, Urban Drainage System) adjacent to Muscat Brae, Clovenfords - £880.00.
 - (iii) to repair the Millennium Notice Board, Clovenfords - £707.52.
- (b) to delegate authority to the Service Director Neighbourhood Services to agree to proposals for Quality of Life or Small Schemes, subject to consultation with and majority approval by the Tweeddale members.

7. **APPOINTMENT TO OUTSIDE BODY- PEEBLES SHIRE CHARITABLE TRUST**
The Chairman advised that whilst he represented the Council on the Peeblesshire Charitable Trust, at a recent meeting Members of the Trust considered that a Member should be appointed to represent Tweeddale East so that the whole area was represented. Councillor Logan was unanimously appointed to be a Council representative on Peebles Charitable Trust.

**DECISION
AGREED that Councillor Logan be appointed as a Council Representative on Peebles Charitable Trust.**

8. **OPEN QUESTIONS**

- (a) Mr Murdoch Macdonald asked if there were plans for controlling on-street parking in Peebles High Street, Northgate and Eastgate and if so when would these be put in place. Councillor Cockburn advised that a report on the progress and findings of the Decriminalised Parking Enforcement (DPE) Working Group would be considered at the June Council meeting.

**DECISION
NOTED.**

- (b) Mr Robert Balfour asked what progress Council, Scottish Water and Sepa amount its cost council in grants etc and repairs to roads, Councillor Cockburn advised that in regards to the funding of repairs, caused by the Storm Frank flooding; flood grants and discretionary payments were available via the Council, and were currently being processed for payment to individuals, organisations and businesses that had applied; the Government funded Bellwin scheme works were continuing to repair flood damaged infrastructure across the region; and on the 19 May Council Members unanimously approved the Tweed Local Flood Risk Management Plan, which should provide Tweeddale, and other Tweed Valley communities, with a structured flood defence and mitigation plan going forward. Mr Balfour also

suggested that if from October the levels at Talla Reservoir could be lowered by a metre or two to help create a greater buffer in the event of flash flooding.

**DECISION
NOTED.**

9. COMMUNITY COUNCIL SPOTLIGHT

Community Councillor Haywood referred to the recent news about bus services provided by First Bus being lost in Town Centres and requested that Councillor Bhatia forward any information relating the Peebles Town Bus Service to The Royal Burgh of Peebles and District Community Council.

DECISION

AGREED that Councillor Bhatia would pass on any information relating to proposed cuts in the Peebles Town Centre bus service to The Royal Burgh of Peebles and District Community Council.

10. POLICE SCOTLAND

In regard to Tweeddale East and Tweeddale West, Sergeant Marker advised that the focus of Police Scotland was to reduce crime and disorder, to increase public reassurance within the community and to keep people safe. Police Scotland would continue to work closely with their partners and find effective long-term solutions to the issues raised. After talking to local residents in Tweeddale, Police Officers noted their greatest concerns were dishonesty, inconsiderate driver behaviour, bogus workers and callers, and drug dealing and misuse. In regard to dishonesty, Police Scotland had recently launched a series of information documents to keep our rural communities safe. The rural communities of Scotland were safe places in which to live and work. However, the nature of the environment and way of life meant there were some crime prevention tips particularly relevant to rural life which were worth bearing in mind. Much of the crime prevention advice outlined in other areas of 'Keep Safe' was equally relevant to urban or rural areas, but there were issues unique to rural communities such as: protecting livestock, securing farm machinery, theft from fuel tanks, securing tools and horse tack. The information could be accessed at the following link and was an excellent guide to farmers and the wider community who lived in rural areas. <http://www.scotland.police.uk/keep-safe/home-and-personal-property/rural-crime>. Police Scotland, Scottish Fire and Rescue Service and NFU Scotland would be holding a Farm Fire Safety and Crime Prevention Event on 9 June from 1.00 p.m. until 3.30 p.m. at Haswellsykes Farm, Peebles. The event would include demonstrations of security systems, crime prevention equipment and fire safety techniques. Since 2 March 2016, there had been three incidents in the Tweeddale area involving bogus callers. These incidents occurred on 23 March in Clovenfords and Peebles and it was believed they involved the same suspect who was offering power tools for sale. A younger drivers event had taken place on 22 May 2016 at Charterhall, Duns. This was run by the Institute of Advanced Motorists in partnership with Volvo, Suzuki, Fiat, and other manufacturers of cars. The event was designed to take kids over 14, but under 17 who would not normally be able to drive cars and give them the understanding and skills to drive cars. Hopefully by educating them early, a long-term sustainable driver education and casualty reduction programme would be in place in the Borders. A number of Police Officers volunteered their time to assist on the day. From 2 March to 23 May 2016, 45 parking tickets had been issued, of which 3 were cancelled, two drivers were warned. This year Police Scotland's Public Consultation process was widening and becoming more flexible. The consultation

process was moving online to a digital format and consultation would be open all year. Everyone's views across Scotland would be taken on board at a national and local level. The link for the survey was <https://www.surveymonkey.co.uk/r/8LMB9WX>. With effect from 1 July 2016, new legislation would come into effect for air weapons. Any person who possessed, purchased, used or acquired an air weapon would be required to have a certificate to legally hold them. Because this was a new process, the public had been given time to achieve the certification and no one would commit an offence of possessing an air weapon without the relevant authority or certification up until 1 January 2017. All documentation had to be in order by that date. Police Scotland recognised that a number of these types of weapons would be lying about homes and were no longer used or required. As a result an 'amnesty' would be held and air guns could be surrendered at Galashiels Police Station between 8.00 a.m. and 10.00 p.m. from Monday 23 May until 12 June 2016. Further information on the legislation could be found on the Police Scotland website www.scotland.police.uk. Some concern was expressed about Community Police Officers being unable to attend Community Council meetings. Inspector Marker referred to the increase in the workload of Police Community Officers and said that efforts were made at all times for Police Officers to attend Community Council meetings and for update reports to be sent to Community Councils. He further advised Community Councillors could liaise at any time with Police Officers if there were any matters of concern.

**DECISION
NOTED.**

11. SCOTTISH FIRE AND RESCUE SERVICE

In the absence of Mr Keith Langley copies of a report on the Scottish Fire and Rescue Service were tabled at the meeting from which it was noted there had been two fatalities in Peebles one related to fitting and the other out of hospital cardiac arrest. The team continued to expand its partnership working with key agencies including Police Scotland, Health, Social Care and Housing in order to focus on members of local communities at high risk from fire and achieve positive outcomes in helping to reduce overall numbers of accidental dwelling fires. A national recruitment campaign was on-going for Retained Duty System firefighters at identified stations within the Scottish Borders and West Linton Station was currently recruiting staff. After forty-four years' service Watch Manager Eric Small retired from the SFRS on 27 April 2016. Area Manager David Farries marked the event with the presentation of a commemorative BA tally and scroll. Members of the Forum wished Mr Small all the best for the future.

**DECISION
NOTED.**

The meeting concluded at 8.30 p.m.

SCOTTISH BORDERS COUNCIL
JEDBURGH COMMON GOOD SUB-COMMITTEE

MINUTE of MEETING of the JEDBURGH
COMMON GOOD FUND SUB-COMMITTEE
held in ROOM 4, KELSO HIGH SCHOOL on 1
June 2016 at 5.30 p.m.

Present:- Councillors J. Brown, R. Stewart, S. Scott, Community Councillor Mr. H. Wight.
In Attendance:- Capital and Investments Manager (Kirsty Robb), Democratic Services Officer (F. Henderson).
Members of the Public:- 0.

MINUTE

1. There had been circulated copies of the Minute of the Meeting held on 3 February 2016.

**DECISION
NOTED.**

ORDER OF BUSINESS

2. The Chairman varied the order of business as shown on the agenda and the Minute reflects the order in which the items were considered at the meeting.

**DISCHARGE AND GRANT OF NEW STANDARDS SECURITY AT 15 ABBEY PLACE,
JEDBURGH**

3. With reference to paragraph 2 of the Minute of 3 February 2016, there had been circulated copies of a report by the Service Director Regulatory Services on the Discharge and Grant of New Standard Security at 15 Abbey Place, Jedburgh. The Democratic Services Officer advised that as the report had not been through the formal consultation process, it could not be considered at the meeting and was withdrawn from the Agenda. The Sub-Committee noted that the report had been withdrawn and agreed that a special meeting be arranged on Wednesday, 29 June 2016 at 9 a.m. in Council Headquarters to consider the report.

DECISION

- (a) **NOTED that the report on the Discharge and Grant of New Standard Security at 15 Abbey Place, Jedburgh had been withdrawn from the Agenda.**
- (b) **AGREED that a special meeting be arranged for Wednesday, 29 June 2016 at 9 a.m. in Council Headquarters to consider the report once it had been through the consultation process.**

MATTERS ARISING

4. JEDFOREST INSTRUMENTAL BAND

With reference to paragraph 3 of the Minute of 3 February 2016, there had been circulated copies of a report received from the Jedforest Instrumental Band detailing the proposed use of the £5,000 awarded from the Jedburgh Common Good. The report explained that the development programme had been delayed due to the preparation and participation in the Scottish Brass Band Championships, the Edinburgh Festival and the British Brass Band Competition. The report detailed the elements of the development programme, which included recruitment and tuition of young players from local primary schools, the purchase of necessary brass and percussion instruments and the renovation of a room in the Band Hall to form a music library. In terms of securing the remainder of the funding, the report explained that the total cost of the development programme was £27,000 and an application had been made to the Youth Music Initiative for a grant of £13,000 towards recruitment and tuition of young players. The grant of £5,000 received from the Jedburgh Common Good

would be used as match funding to secure the remainder of the funding totalling £13,500 from Awards for All.

DECISION

NOTED the update.

MONITORING REPORT FOR 12 MONTHS TO 31 MARCH 2016

5. There had been circulated copies of a report by the Chief Financial Officer which provided details of the income and expenditure for the Jedburgh Common Good Fund for the year 2015/16 including balance sheet values as at 31 March 2016 and proposed budget for 2016/17. Appendix 1 provided a projected income and expenditure for 2015/16 and a projected surplus of £22,228 for the year and a projected deficit of £333 for 2016/17. Appendix 2 provided Balance Sheet value to 31 March 2016 and a projected decrease in reserves of £3,405, due to depreciation of assets, the surplus generated in the year and movements in the value of investments. Appendix 3 provided a breakdown of the property portfolio showing actual rental Income and property Expenditure to 31 March 2016 where applicable and the 2015/16 depreciation charge. Appendix 4 detailed the value of the Newton Fund to 31 March 2016.

DECISION

(a) NOTED:-

- (i) the actual projected Income and Expenditure for 2015/16 as shown in Appendix 1 to the report;**
- (ii) the final balance sheet value to 31 March 2016 in Appendix 2;**
- (iii) the summary of the property portfolio in Appendix 3 to the report; and**
- (iv) the current position of the investment in the Newton Fund in Appendix 4 to the report.**

(b) AGREED the proposed budget for 2016/17 as shown in Appendix 1 to the report.

APPLICATIONS FOR FINANCIAL ASSISTANCE

Jedburgh Leisure Facilities Trust

6. There had been circulated copies of an application from the Jedburgh Leisure Facilities Trust in the sum of £20,000. The application explained that the Leisure Trust had managed the Laidlaw Memorial Pool and Fitness Centre on behalf of the Community for 12 years. The usage had increased 300% during that period and many improvements had been made, with all surpluses being re-invested in the facility. The request was for the installation of LED lighting at a cost of £12,000 which would save approx. £4,000 per year and the installation of an airlock (double automatic sliding doors) between the pool hall and changing rooms to minimise loss of heat at a cost of £8,000. The Capital and Investments Manager advised that there was money allocated for Capital projects, which had not been accessed since 2012. The Sub-Committee agreed that the Jedburgh Leisure Trust be advised that there was alternative funding available and that the matter be referred to the Corporate Transformation and Services Director to arrange a meeting with the Trustees.

DECISION

- (a) NOTED that money was available from an alternative funding source within the Council.**
- (b) AGREED that the matter be referred to the Corporate Transformation and Services Director to arrange a meeting with the Trustees.**

7. **Jedburgh Community Council – Christmas Lights**

There had been circulated copies of an Application for Financial Assistance from the Jedburgh Community Council towards providing Festive Lights in Jedburgh. The application was in the sum of £2,000 towards the costs of installing and dismantling the Festive Lights in Jedburgh. The application explained that an estimate had been provided by Scott & Foggan Ltd in the sum of £1,350 plus VAT (£270) less an unspecified donation. The actual invoice when received was in the sum of £3,000, the cost of electricity was estimated at £350, although details of the actual charges had not been provided. Following considerable discussion, it was agreed that a grant of £2,000 be paid towards the Festive Lighting in Jedburgh.

DECISION

AGREED to award a grant of £2,000 to the Jedburgh Community Council in respect of the installation and dismantling of Festive Lighting in Jedburgh.

The meeting closed at 6.10 p.m.

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SCOTTISH BORDERS COUNCIL
KELSO COMMON GOOD FUND SUB-COMMITTEE

MINUTE of MEETING of the KELSO
COMMON GOOD FUND SUB-COMMITTEE
held in ROOM 4, KELSO HIGH SCHOOL on 1
June 2016 at 4.30 p.m.

Present:- Councillors T. Weatherston (Chairman), Councillor S. Mountford.
Apologies:- Councillor A. Nicol, Community Councillor Mr John Bassett.
In Attendance:- Capital and Investments Manager (Kirsty Robb), Estates Manager,
Neighbourhood Area Manager (Alistair Finnie), Democratic Services and
Elections Officer (F. Henderson).
Members of the Public:- 0.

MINUTE

1. There had been circulated copies of the Minute of the Kelso Common Good Fund Sub-Committee held on 3 February 2016.

DECISION

AGREED to note the Minutes for signature by the Chairman.

MONITORING REPORT FOR 12 MONTHS TO 31 MARCH 2016

2. There had been circulated copies of a report by the Chief Financial Officer which provided the income and expenditure for the Kelso Common Good for the year 2015/16 including balance sheet values as at 31 March 2016 and proposed budget for 2016/17. Appendix 1 provided the projected income and expenditure for 2015/16 which showed a deficit of £2,966 for 2015/16 and a projected deficit of £3,326 for 2016/17. Appendix 2 provided the projected balance sheet value to 31 March 2016 which projected a decrease in reserves of £49,253. Appendix 3 provided a breakdown of the property portfolio showing actual Income and Expenditure to 31 March 2016 and Appendix 4 showed the value of the Newton Fund to 31 March 2016.

DECISION

(a) NOTED:-

- (i) the actual income and expenditure 2015/16 in Appendix 1 of the report;
- (ii) the final balance sheet value to 31 March 2016 in Appendix 2 of the report;
- (iii) the summary of the property portfolio in Appendix 3 of the report; and
- (iv) The current position of the investment in the Newton Fund in Appendix 4 of the report.

(b) AGREED the proposed budget for 2016/17 as contained in Appendix 1 of the report.

FINANCIAL ASSISTANCE – KELSO CRICKET CLUB

3. With reference to paragraph 3 of the Minute of 3 February 2016, the Democratic Services Officer advised that Kelso Cricket Club had provided confirmation that all funding was now in place. The Sub-Committee agreed that the award of £3,500 previously agreed at their meeting on 3 February 2016 be paid.

DECISION

AGREED that the grant of £3,500, approved at the meeting on 3 February 2016 be paid to Kelso Cricket Club.

PINNACLEHILL WOODLANDS

4. The Estates Manager advised that a request had been received from Mr Graeme Coutts and Mr Peter Small, residents of Pinnaclehill Gardens requesting that the boundary fence surrounding Pinnaclehill Woodlands be replaced. The Estates Manager circulated at the meeting photographs of the fencing and a plan of the area in question. The Sub-Committee were advised that in 1975, the then Town Council had purchased the woodland at a cost of £5,000 and the title deeds to the woodlands specified that as it was the property of the Common Good, and were required to maintain a post and wire fence. However, it was a timber post and rail fence which was currently in place, following work undertaken to fences in 1998/99. It was further reported that the timber post and rail fence was not in good condition and might result in the entire fence requiring to be replaced. In terms of the title to the ground, the Common Good would only be required to replace the current fence with a post and wire fence. Following considerable discussion, it was agreed to offer the removal of the timber post and rail fence to be replaced with a post and wire fence, which was all that was required.

DECISION

AGREED that:-

- (a) the Estates Manager meet with the residents to explain the options; and**
- (b) the Estates Manager update the Sub-Committee at its next meeting on
Wednesday, 14
September 2016.**

COMMON GOOD LAND, SPROUSTON ROAD, KELSO

5. There had been circulated copies of a letter received from Mrs Kathleen Binnie, Cairnbank, Sprouston Road, Kelso, together with a reply, regarding the burn directly across from her home on Sprouston Road, Kelso. The Area Neighbourhood Manager (Cheviot) circulated at the meeting a copy of a plan which outlined the extent of Common Good ownership at Pinnaclehill Woodlands. It was explained that Mrs Binnie had written with a number of issues in January 2016 and when officers investigated, it was found that the burn was on the boundary and on the opposite side of the stream which did not belong to Scottish Borders Council or the Kelso Common Good. The area in question was likely to be the area between the burn and Abbey View to the west which was outwith the boundary and which was most likely to have been owned/ be owned by the developer of Abbey View. It was further explained that as a result of the letter received from Mrs Binnie, the area had been visited by Officers, who had removed a bike, and rubbish from the area. Remedial work had already been undertaken following the flooding of the property at the Lodge, Sprouston Road and a fallen tree had been removed from the burn to try and prevent any issues with the flow of the burn at that point.

DECISION

AGREED that:-

- (a) as the ground was outwith the Common Good Boundary, there was no further action to be taken; and**
- (b) the Democratic Services Officer write to Mrs Binnie, explaining the situation and enclosing a copy of the map detailing the Common Good Boundary.**

The meeting closed at 5.15 p.m.

SCOTTISH BORDERS COUNCIL
CHEVIOT AREA FORUM

MINUTE of the MEETING of the
CHEVIOT AREA FORUM held in
The Library, Kelso High School,
Bowmont Street, Kelso on
Wednesday, 1 June 2016 at 6.30
p.m.

Present:- Councillor T Weatherston (Chairman), J. Brown, A. Nicol, S. Scott, R. Stewart.
Community Councillors D. Weatherston, N. Jarvis, C. Cook, Mr Matt Acton, Station Manager (Scottish Fire and Rescue Service), Inspector John (Police Scotland – J Division), Director of Finance – NHS Borders (Carol Wood).

Apologies:- Councillor S. Mountford, Community Councillors J. Bassett, H. Wight, A. Drummond, D. Stark, S. Stewart, L. Johnston, P. Bridgewood, A. Leitch, D. Ogilvie, E. McNulty, Locality Team Leader (Ms K. Horsley), Inspector Wood (Police Scotland – J Division)

In Attendance:- Area Neighbourhood Manager (Mr A. Finnie), Democratic Services Officer (Mrs F Henderson).

Members of the Public:- 1

1. **WELCOME**

The Chairman welcomed everyone to the meeting.

2. **MINUTE**

There had been circulated copies of the Minute of the Meeting of the Cheviot Area Forum of 3 February 2016.

DECISION

AGREED to approve the Minute for signature by the Chairman.

3. **UPDATE ON DOG FOULDING**

Mr Craig Blackie, Neighbourhood Area Manager (Eildon) was present at the meeting to brief Members on a new refreshed approach being taken to tackle dog-fouling in the Scottish Borders. In 2014 the Scottish Household Survey rated animal nuisance, such as noise and dog fouling, as the most common problem. Within the Scottish Borders there had also been an increase in the number of reports of dog fouling. This issue was being looked at by Scottish Borders Council in the wider context of responsible dog ownership. The 'Responsible Dog Ownership Strategy and Action Plan', recently approved by Scottish Borders Council, set out what the Council would do to encourage and promote responsible dog ownership and the Council's commitment to tackling the antisocial behaviour of irresponsible dog owners. The approach outlined in the strategy included the objective to reduce the number of dog fouling instances through education, partnership working and enforcement. Officers had been investigating options to enhance its environmental enforcement activities. In this connection Council agreed to appoint a private company to carry out focused enforcement activity

for a pilot period of twelve months. As part of the strategy the Council would work with communities on developing local solutions; develop an 'anti dog-fouling toolkit' which could be used by local communities; and promote key initiatives such as The Green Dog Walkers. Mr Blackie confirmed that the contract had been awarded to 3GS and two wardens had been appointed and commenced their duties with effect from 31 May 2016 for a trial period of 12 months. It was confirmed that material to promote responsible dog ownership, in the form of posters, would be available to Community Councils from the Neighbourhood Services section of the Council. There would also be regular updates to Area Forums and a consultation at the end of the trial period to decide whether to extend the contract. The Wardens would also regulate littering and could issue an on the spot statutory fine of £80. Mr Blackie answered members' questions and, in response to questions about where the monies collected from fines went, Mr Blackie advised that profit from the schemes was shared once salaries and the cost of tickets and promotional material had been deducted. The Chairman thanked Mr Blackie for his presentation.

DECISION

NOTED the presentation.

4.0 POLICE FORCE OF SCOTLAND – UPDATE FOR 'J' DIVISION

Inspector John Scott was present at the meeting to update the Cheviot Area Forum on performance, activities and issues across the Ward for the period up to 31 May 2016. The Ward Plan Priorities for Kelso and District had been reviewed and amended and were highlighted as Dishonesty, Road Safety, Antisocial Behaviour and Drug Dealing and Misuse of Drugs. The Ward Plan Priorities for Jedburgh and District had also been amended and were highlighted as Drug Dealing and Misuse, Road Safety, Anti-Social Behaviour and Rural Crime. In relation to Rural Thefts, Police Scotland had launched a series of information documents to keep rural communities safe. The rural communities of Scotland were safe places in which to live and work. However, the nature of the environment and way of life meant there were some crime prevention tips particularly relevant to rural life that were worth bearing in mind.

- 4.1. Much of the crime prevention advice outlined in other areas of 'Keep Safe' was equally relevant to urban or rural area, but there were issues unique to rural communities such as: Protecting Livestock; Securing Farm Machinery; Theft from fuel tanks; Securing tools and horse tack. The information could be accessed at the following link <http://www.scotland.police.uk/keep-safe/home-and-personal-property/rural-crime>. In terms of Road Safety, it was recognised that parking in Kelso was a concern and regular patrols were undertaken in the town and 11 parking tickets had been issued during the reporting period. There had been an increase recently in the number of detections for drink driving in the Scottish Borders, with people being caught in rural, locations having been drinking at a village pub and then choosing to drive home. The public were encouraged to report all drink drivers either directly to the police on 101 or anonymously to Crimestoppers on 0800 55 111. A young driver's event between 21 and 22 May 2016 had been held at Charterhall, Duns where about 90 young people experience driving, many of them for the first time, and had had a great experience. The event allowed them to develop driving skills under the watchful eye of the Police, Fire and Ambulance services who were giving training throughout the day. The aim was to encourage young people to engage with the long-term sustainable driver education and casualty reduction programme in the Borders. During May and June the Skills for Life programme, which provided free driver training to 17-25 year olds, was running in Duns. There were further courses being run during 2016 and these could be accessed through the Skill for Life page on Scottish Borders Council website. In terms of new Police Powers to tackle the production, supply and

importation/exportation of NPS, it was explained that the UK wide legislation aimed to tackle the harm posed by new psychoactive substances (NPS) which were marketed inaccurately as 'legal highs'. The consumption of NPS had been linked to a number of deaths in the UK. The Psychoactive Substances Act 2016 (PSA 16) did not replace the Misuse of Drugs Act (1971) but it would work alongside to complement it. It was explained that at this time of the year there was a large influx of visitors to the area, either through events or border festivals. Plans were well established to cope with the additional visitors coming to Kelso for events held in the area. Additional dedicated officers had been allocated over the weekends that had events planned and any antisocial behaviour would be dealt with appropriately.

4.2 **Air Weapon Legislation**

With effect from 1 July 2016, new legislation came into effect for air weapons. Any person who possessed, purchased, used or acquired an air weapon would be required to have a certificate to legally hold them. Because this was a new process, the public had been given time to achieve the certification and no one would commit an offence of possessing an air weapon without the relevant authority or certification up until 1 January 2017. Police Scotland recognised that a number of these types of weapons would be lying about homes and no longer used or required. As a result an 'amnesty' would be held where people could surrender air weapons at a police station. Provisional dates for the surrender campaign were Monday 23rd May to Sunday 12th June 2016. People with any weapons for surrender were asked to take them to Galashiels police station on these dates between 8am and 10pm. Further information on the legislation could be found on the Police Scotland website www.scotland.police.uk.

- 4.3 In terms of Jedburgh and District, it was reported that the Fire Service and Police had been called to a house fire in Newtown St Boswells on 18th April 2016. Enquiries carried out established that the house occupant had cannabis cultivation in his loft. Whilst checking these plants he had inadvertently started a fire. The male was charged with being concerned in the production of a controlled substance and also with culpable and reckless conduct and reported to the Procurator Fiscal. In relation to Road Safety, a number of road checks had been carried out during February, March and April and a total of three fixed penalty tickets had been issued, these being one each for speeding, failing to wear a seatbelt and for driving a vehicle whilst using a mobile phone. During the early hours of 14th March 2016 officers on patrol stopped a vehicle travelling in Oxnam Road, Jedburgh due to the manner it was being driven. The driver was found to be driving under the influence of alcohol. He was arrested, charged with drink driving and reported to the Procurator Fiscal. During the early hours of 14th March 2016 officers on patrol stopped a vehicle travelling in Oxnam Road, Jedburgh due to the manner it was being driven. The driver was found to be driving under the influence of alcohol. He was arrested and charged with drink driving and reported to the Procurator Fiscal. A 73 year old male was charged with driving without due care and attention following an accident on the A68 on the 25th March and reported to the Procurator Fiscal. On 6th April another accident occurred on the A68 near to Charlesfield, which resulted in one of the drivers, a 40 year old male, being charged with careless driving. During the early hours of 10th April 2016, witnesses reported a male having crashed his vehicle into another vehicle in Newtown St Boswells. Officers were quickly on the scene and the male was found to be under the influence of alcohol. Following enquiries the 23 year old male was charged with drink driving and other road traffic documentation offences. Tragically, a fatal accident occurred on 13th April 2016 on the A68 where an 18 year old female died following a two car accident and enquiries were continuing into the circumstances of this. Eight parking tickets had been issued during the reporting period in the Jedburgh and District area. There were no fixed penalty tickets issued over this reporting period and

the Police continued to engage with those responsible for any youth antisocial behaviour in the ward area. The Community Beat Officer and Locality Integration Officer regularly discussed youth issues and had carried out joint foot patrols over recent weeks to interact with young people and prevent anti-social behaviour. In terms of rural crime, following a complaint regarding the actions of members of Jed-Forest Hunt on 18th February 2016 whilst on a hunt near to Oxnam, two males were reported to the Procurator Fiscal under the Protection of Wild Mammals (S) Act 2002.

**DECISION
NOTED the report.**

5. FIRE AND RESCUE SERVICE UPDATE

Mr Matt Acton, Station Manager explained that the purpose of the report circulated was to inform the Cheviot Area Forum on Scottish Fire and Rescue Service activity since the last meeting on 3 February 2016. The report detailed that during the period of the report there had been 2 House Fires (cooking related) occurrences of fire – open 7, occurrence of Special Services 10 and 18 unwanted Fire Alarm Signals. In relation to partnership working, The Scottish Fire and Rescue Service (SFRS), Community Action Team (CAT) within the Scottish Borders core work centred on the on-going delivery of the SFRS Home Fire Safety Visit (HFSV) policy. The team continued to expand its partnership working with the Key agencies including Police Scotland, Health, Social care and Housing in order to focus on members of local communities at High Risk from fire and achieve outcomes in helping to reduce overall numbers of accidental dwelling fires.

- 5.1 Fire prevention and protection activity over recent years had been key to reducing the number of fires, casualties and losses in Scotland thus minimising the economic and social impact of fire on communities. The seasonal community safety calendar provided the catalyst for a number of initiatives and schemes throughout the calendar year.
- 5.2 Activity which was ongoing within the Cheviot Ward area included Scottish Fire and Rescue Service staffs in all local stations providing Home Fire Safety Visits all year round. The visits provided the householder with a home visit, focussing on identifying and reducing the risks of fire in the home. Smoke detectors with a 10-year battery life were provided as part of this free service; Living Safely in the Home was part of the Scottish Borders Community Planning Partnership Reducing Inequalities Strategy, the Scottish Fire and Rescue Service (SFRS) and the Scottish Borders Safer Communities Team would lead jointly on the 'Keeping People Safe' theme. Within this theme, it had been identified that older people are more likely to suffer an accident in the home resulting in an A&E admission to Hospital; Firesharp was an initiative for Primary 6 pupils, providing face-to-face education within local Primary schools on matters of fire risk and prevention; The SFRS Safeguarding Policy and Procedure for Protection of Children and Adults at Risk of Harm was implemented to link into adult and child protection. The introduction of the policy had created closer ties with Social Services within Scottish Borders and ensured those people and families that fire crews identify as at risk were brought to the attention of Social Services and had resulted in joint visits to homes to reduce risk to those occupiers. A strong partnership was being developed with the local Domestic Abuse Advocacy Service and involvement in MARAC (Multi Agency Risk Assessment Conference). The Local Authority Liaison Officer (LALO) and Scottish Borders Station Manager for Prevention and Protection were fully involved in all local MARAC processes, attending the monthly conferences and all steering group meetings.

- 5.3 Crews from Duns and Coldstream recently took part in a multi-agency Young Drivers Initiative held at Charterhall, Greenlaw. The event gave the opportunity for 14-17 year olds from across the Scottish Borders to experience the controls of a car in 'try-drive' sessions and to experience vehicle handling through braking exercises in order to educate the next generation of road users.
- 5.4 Road Safety Community Action Team (CAT) had delivered road safety awareness to secondary schools throughout the Scottish Borders with the support of the local whole time personnel from Galashiels and Hawick. Fire Safety Audits provided a targeted examination of business premises and their relevant documents to ascertain how the premises were being managed regarding fire safety. The enforcement officer also engaged with members of staff to confirm their level of fire safety awareness; Unwanted Fire Signals were being addressed by phased intervention actions which identified premises which were producing 'false alarms', provided guidance on how to reduce a reoccurrence. In a pioneering partnership between the Scottish Fire and Rescue Service (SFRS) and British Heart Foundation (BHF), all 356 of SFRS's fire stations were equipped with BHF donated 'Call Push Rescue' training kit and each station would now act as a base for local people to learn vital cardiopulmonary resuscitation (CPR) skills and potentially save someone's life if they went into cardiac arrest. It took just 30 minutes to learn CPR using the Call Push Rescue kit and community groups were able to contact their local fire station to arrange a time to go to a station, watch the training DVD, and practice with the kit.

Out of Hospital Cardiac Arrest trial.

- 5.5 A national trial and a first for Scotland involving Scottish Fire and Rescue Service (SFRS) and Scottish Ambulance Service (SAS) to increase survival rate of patients who suffer out of hospital cardiac arrest went live on 29th October 2015. The trial would run at seven fire stations across Scotland, with three of these being in the Scottish Borders: Hawick, Lauder and Coldstream. Firefighters at these stations had received enhanced training in life-support, through a joint partnership approach with the Scottish Ambulance Service as part of a range of measures that it had in place across the country to target the condition and create a nation of life savers. If a fire service resource with a crew who were trained to provide high quality CPR and had a defibrillator was nearer to a potential cardiac arrest than a local Community First Responder team, then Ambulance Control would dispatch them at the same time as the ambulance crew, so that they could provide these life saving interventions while the ambulance was on its way. The trials were part of SFRS's commitment to supporting the Scottish Government's Out of Hospital Cardiac Arrest Strategy, which aimed to dramatically increase patients' survival chances and save as many as 1,000 lives by 2020. The LALO was in post within Scottish Borders Council HQ in order to improve partnership working, with a particular focus on the elderly and more vulnerable members of society. The primary aims of this partnership activity were to help ensure the safety and welfare of vulnerable persons throughout the community, and to seek to reduce the overall numbers of accidental dwelling fires, fire casualties and fire fatalities in homes. The Summer Thematic Action plan focused on Grass and Wildland fires; rubbish and refuse fires and Outdoor fire safety.

DECISION

NOTED the report.

LIVING SAFELY IN THE HOME PROJECT

- 6.0 Michael Jaffray, Station Manager, Scottish Fire and Rescue Service gave a presentation on the SFRS approach to safeguarding persons at risk of harm, which

had been launched that afternoon in the Cheviot locality as a pilot. This included a home fire safety visits policy; post domestic incident response; safeguarding children and adults at risk of harm policy and case study/case conference policy. Over 2500 completed Home Fire Safety Visits had been completed in the Scottish Borders during the last Fiscal year, averaging 200 visits per month with 700 deemed as High Risk. In terms of emergency hospital admissions, due to unintentional injury, it was found that 45.8% of total incidents occurred in the home; of those incidents 38.7% were caused by falls in the home and 77% of those falls were in the 65+ age group. Almost 40% of SB homes were classed as being fuel poor in 2013 and the Scottish Borders was an area where there was low income and high consumption of fuel. The three main drivers for fuel poverty were fuel cost, income and energy efficiency. Mr Jaffray went onto explain the benefits of a holistic approach - increased efficiency and effectiveness; reactive to preventative; reduce duplication; financial benefit; demand reduction and increased safety. The Cheviot Pilot would target the elderly and the under 5s focusing on slips, trips and falls and preventing unintentional harm in the home. For the elderly and people with mobility issues, a level 1 falls screen assessment would be carried out; small aids and adaptations where required would be provided; other advice/guidance where deemed necessary would be provided and where required, a referral would be made to HES. A series of events would be held in Kelso and Jedburgh, with regular updates to the Area Forum.

DECISION

(a) NOTED the presentation.

(b) AGREED that there be an update to the Area Forum at its meeting scheduled for 14 September.

7. ENGAGEMENT WITH NHS BORDERS

An update on current activity was given by Carol Gillie, Director of Finance, NHS Borders. Mrs Gillie reported on the Celebrating Achievements Awards which had taken place at Springwood, Kelso where candidates for the Awards were nominated anonymously.

7.1 A&E Waiting Times

In relation to A&E waiting times, Mrs Gillie reported that the NHS Borders were meeting their waiting time target of 4hrs, 95% of the time, although this had been more challenging in recent weeks. NHS Borders now published their performance against the set targets. In response to questions, Mrs Gillie advised that all breaches were thoroughly investigated in order to understand the reasons behind the breach.

7.2 The Health in Your Hands Survey and Engagement had been out for consultation between November 2015 and March 2016 and would be presented to the NHS Board on Monday, 23 June 2016.

7.3 The Health and Social Care – Joint Board became operational on 1 April 2016 and the new body would meet on 20 June 2016.

DECISION

NOTED the report.

8. NEIGHBOURHOOD SMALL SCHEMES UPDATE

With reference to paragraph 8 of the Minute of 3 February 2016, there were circulated at the meeting copies of Appendices A and B which detailed the current position in terms of the Neighbourhood Small Schemes and Quality of Life Scheme previously approved. The Area Neighbourhood Manager advised that the allocated budget

(£47,099) for small schemes was available through Neighbourhood Services for the Cheviot Area in 2016/17. There remained £25,311 for future schemes, although any budget remaining at the close of the financial year would be lost as there was no carry forward provision. In addition, a budget of £31,072 was available for Quality of Life Schemes in the Cheviot Area in 2016/17. It had previously been agreed that this budget would be split equally between Kelso and District and Jedburgh and District Wards. There was a remaining budget of £11,422 in Kelso and District Ward and £14,372 in Jedburgh and District Ward for future schemes.

DECISION

(a) AGREED:-

(i) the following new Neighbourhood Small Schemes for implementation:-

- | | |
|--|---------------|
| (1) Install dropped kerb at St Andrews Church, Kelso | £1,137 |
| (2) Erect notice board at Nisbet Village | £ 760 |
| (3) Provision of carpet bedding display War Memorial, Kelso | £2,710 |
| (4) Installation of additional telegraph pole at Ancrum Bottle Bank | £1,814 |
| (5) Resurface access to Crailing Church | £2,970 |

(ii) to delegate authority to the Service Director Neighbourhood Services to allocate the funds for the current financial year to Neighbourhood Small Schemes, subject to consultation with and approval by all six members of the Cheviot Area Forum via email.

(b) NOTED:-

- (i) the updates on previously approved Neighbourhood Small Schemes as detailed in Appendix A to the report; and**
- (ii) the updates on previously approved Quality of Life Schemes as detailed in Appendix B to the report.**

9. OPEN QUESTIONS

There were no issues raised.

DECISION

NOTED.

10.0 COMMUNITY COUNCIL SPOTLIGHT

- 10.1 Skiprunning Burn, Jedburgh (Flood Protection Scheme)** – With reference to paragraph 10.2 of the Minute of 3 February 2016, the Area Neighbourhood Manager advised that the main contract works for formal Flood Protection Scheme were completed in February 2016 and the new water level sensors and CCTV infrastructure were fully operational. A protocol document detailing the management arrangements for the flood protection infrastructure had been drafted by the project team and would be finalised in consultation with the Council's Flood and Coastal Management, Neighbourhood Services and Emergency Planning teams. The masonry repair work to the town culvert would be undertaken during the summer,

when the burn was completely dry. This was the last element of work associated with the Jedburgh (Skiprunning Burn) FPS.

DECISION

NOTED the report.

11. FUTURE AGENDA ITEMS

The Chairman asked all present for future agendas items. Councillor Stewart requested that a presentation be given by Mossburn Distillery, following submission and consideration of their planning application.

DECISION

NOTED.

12. DATE OF NEXT MEETING

The Chairman confirmed that the next meeting of the Cheviot Area Forum was scheduled for Wednesday, 14 September 2016 in Jedburgh.

DECISION

NOTED the date of the next meeting of the Cheviot Area Forum and that the venue was to be confirmed.

13. PRIVATE BUSINESS

DECISION

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

1. DANGEROUS CHIMNEY AND MASONRY AND DEFECTIVE ROOF COVERING, RAINWATER GOODS AND DRY ROT AT 2 HIGH STREET AND 2 MARKET PLACE, JEDBURGH

The Area Forum noted an update from the Lead Officer Enforcement.

The meeting concluded at 8.15 p.m.

SCOTTISH BORDERS COUNCIL
POLICE, FIRE & RESCUE AND SAFER COMMUNITIES BOARD

MINUTE of MEETING of the POLICE, FIRE & RESCUE
AND SAFER COMMUNITIES BOARD held in the
Council Headquarters, Newtown St. Boswells on Friday,
3 June 2016 at 9.30am.

Present: Councillors D. Moffat (Chairman), S. Aitchison (from para 4), B. Herd, A. Nicol, R. Stewart, G. Turnbull. Mr G. Higgs, Voluntary Sector, Ms M. Lyle, SBHA, Dr D. Steele, NHS Borders.

Apology: Ms F. Young, CJA.

In Attendance: Divisional Commander (DC) Chief Supt. Ivor Marshall, Police Scotland, Chief Inspector A. McLean, Police Scotland, Inspector T. Hodges, Safer Communities Team Manager, David Farries, LSO, Scottish Fire & Rescue Service, Group Manager A. Girrity, Scottish Fire & Rescue Service, Group Manager S. Gourlay, Scottish Fire & Rescue Service, Mr D. Scott, Senior Policy Adviser SBC, Ms S. Smith, Communities & Partnership Manager, SBC, K. Mason, Democratic Services Officer, SBC.

1. WELCOME

The Chairman extended a welcome to observers from Her Majesty's Fire Service Inspectorate who were carrying out a full inspection of the Scottish Fire and Rescue Service within the Scottish Borders during the months of July and August. He also welcomed Divisional Commander (DC) Chief Superintendent Ivor Marshall, Police Scotland and LSO David Farries, Scottish Fire and Rescue Service to their first meeting of the Board.

2. MINUTE

There had been circulated copies of the Minute of the meeting held on 12 February 2016.

DECISION

APPROVED the Minute.

3. MATTERS ARISING

(a) With reference to paragraph 4.3 (b) (i) of the Minute, Chief Inspector McLean advised that Councillor Renton had met with Community Police Officers who had explained the issues they encountered in respect of timescales and local people abusing the parking system in the Market Square, Duns. As a result of this Councillor Renton was much more aware of the issues Police Officers had to deal with.

DECISION

NOTED.

(b) With reference to paragraph 4.3 (b) (ii) in relation to issuing an appropriate Press Release relating to detection rates Members were advised that this had proved complex because it was not just detection rates which should be highlighted but the other aspects of Police work and links with the Police Scotland media unit needed to be established. A communications strategy for the Board to deal with this also covering Fire and Rescue and work in Safer Communities was being developed.

DECISION

NOTED.

- (c) With reference to paragraph 4.3(b) (iii) of the Minute, Members were advised that Police Scotland was not yet in a position to present a private paper on work going on behind the scenes on Serious Organised Crime but this would be undertaken at future meetings.

**DECISION
NOTED.**

4. PROGRESS REPORTS/UPDATES ON CONSOLIDATION AND SUSTAINABILITY

MEMBER

Councillor Aitchison joined the meeting during discussion of the following item.

4.1 Police

Divisional Commander (DC) Chief Supt. Ivor Marshall thanked Members for their welcome and explained he had been in his new post for 3 weeks and he was trying to get up to speed with Lothian and Scottish Borders Division. He was committed to local policing and delighted to have been appointed. He referred to the importance of partnership working where positive constructive collaborate arrangements were in place and he paid tribute to Chief Supt Imery in regard to this. He considered the Boards priorities were correct and he assured Members that efforts in relation to serious organised crime were not diminished but he could not refer to those because of the confidentiality surrounding this matter. There had been good progress in relation to reducing rural housebreakings. The new Chief Constable had undertaken to refresh and change performance framework. Previously targets were chased which missed the point of what policing was all about and important broader conversations would take place about prevention and intervention to reduce crimes. He referred to budget challenges and advised that various meetings would be taking place to ensure Police Scotland kept on track towards a budget settlement.

- 4.2 Discussions took place relating to race hate crime figures which had increased and it was noted that Police Scotland had worked with George Higgs to make it easier for people to report race hate crimes. Reporting of hate crimes had increased because people now felt confident to report issues to the police. Detection rates for hate crime in the Borders continue to be high.

- 4.3 Chief Inspector A. McLean presented the Police Progress report covering the period April 2015 to March 2016 which had been circulated. The report detailed the figures for the six Priority areas to date and compared them to the figures for the same period in 2014/15, 113 more referrals had been made, which was positive. In relation to

Priority 1 – Protecting People performance was slightly worse compared to last year but 1.8% better than target.

Priority 2 – showed a 7.7% increase in Common Assaults reported in 2015/16 compared to the same period last year. This equated to 55 more victims compared with same period last year. In respect of reducing the number of anti-social behaviour incidents there had been a 7.9% reduction (402 fewer incidents) in the year to date compared to the same time period last year.

With regards to increasing the reporting of hate crime, there had been a significant increase in the number of recorded victims of hate crime in the year to date and it was noted that this was largely due to the spike in offences occurring in Quarter 2.

Priority 3 - Tackling substance misuse. During the period 01/06/2015 to 31/03/2016, officers in the Scottish Borders conducted a total of 322 stop and searches, of which 77 proved positive (23.9%).

Priority 4 - Making our Roads Safer, there had been an 11.5% increase (8 more casualties) in 2015/16 when compare to 2014/15. The number of people killed this year was 8, which was 1 more fatality than last year. The number of serious injuries had also increased compared to last year.

Priority 5 Tackling serious and organised crime, cash seizures were currently lower than the value seized at the same point last year, this was because specific criteria which had to be present to seize cash under POCA, simply not being there for officers to make seizures. It was encouraging to see a 6.7% increase in the number of detections for drug supply, with 64 offences detected in 2015/16.

Priority 6-Tackling Acquisitive Crime. There had been a decrease in the number of housebreaking to dwellings leading to 29 fewer victims of this type of crime in the year to date when compared with the same time period in 2014/15. There had been a 12.9% reduction in theft of motor vehicles in the year to date which equated to 8 fewer victims of this type of crime.

Concern was raised in relation to speeding on borders roads in particular the A7 and the A698, and the Chairman advised that any issues should be reported to Police Scotland. Chief Inspector McLean advised that a safety campaign in regard to “making roads safer” would be in place in the next few months. Road checks in relation to drink driving had taken place at various times during the day and night, the results of which were disappointing because of the high number of people who had been caught drinking and driving.

It was noted that partner agencies shared information relating to anti-social behaviour and a request was made that Inspector Hodges circulate a flow chart on how this worked. In discussing the lack of information regarding licensing of air rifles Members were advised that anyone with queries should in the first instance contact Police Scotland’s licensing department. It was noted that the Court system had improved because rather than Police Officers having to attend Court until their case was called, Offices now received a phone call from the Court Service to alert them as to the time when a particular case would be heard. In regard to the number of complaints per year a request was made for information on how many complaints were upheld and partially upheld and Chief Superintendent Marshall undertook to provide these statistics.

DECISION

(a) NOTED the report.

(b) AGREED that

(i) Police Scotland would investigate the possibility of providing statistics to a future meeting in regard to the number of police complaints which were upheld and partially upheld;

(ii) Inspector Hodges would provide a flow chart on the process partners used to share information on anti-social behaviour matters.

4.4 Fire and Rescue Service

LSO David Farries introduced himself and thanked the Board for providing him with the response which was made to the consultation on the new Fire & Rescue framework for Scotland. The Scottish Fire and Rescue Service had now produced their draft Strategic Plan for 2016-2019 which developed the expectations set out in the Scottish Government Framework. A 10 week online consultation period began on 31 May 2016. The Strategic plan acted as a bridge between the framework and their Scottish Borders Local Plan. He valued the view of the Board on its concerns about the need to balance national priorities with the needs of local communities which was a key focus of the Board’s feedback and was

important to the Fire and Rescue Service team within the Scottish Borders. The 2016-2019 Strategic plan gave the Fire and Rescue Service the space to be ambitious whilst looking differently at their service delivery. The Board would be aware of service transformation agenda and the Fire and Rescue Service was already seeing the benefits of the ways that their resources could be used to benefit local communities in innovative ways. The Out of Hospital Cardiac Arrest trial was ongoing with an enhanced response in Hawick, Lauder and Coldstream. The Service was currently in the final preparation stages of the Living Safely in the Home initiative which would initially run in the Cheviot area, this project harnessed their vast experience in prevention and allowed them to assist in reducing unintended harm to vulnerable people. It would of course be wrong for the Service to lose focus on what was considered their 'traditional' core responsibilities and with that in mind the Service continued to explore ways of improving their operational response. Training remained the key component in ensuring firefighters were kept competent and safe. The Service had recently completed the training of their second swift water rescue team in the Borders at Hawick; this team would be able to work alongside colleagues from Gala at water rescue incidents and in response to the type of large scale flooding incidents seen in recent years throughout the region. LSO Farries had recently secured funding to renovate the old smoke house facility also at Hawick Fire Station into a simulated domestic dwelling which would be used for breathing apparatus and search and rescue training. This venue would benefit crews from across the borders. A further commitment to improving their operational response came in the form of a major investment in brand new state of the art Hydraulic Rescue Equipment for the area. The Service had managed to bring half of the 10 sets of equipment available in the East of Scotland to the Scottish Borders and stations across the area had been selected to provide a good coverage. LSO Farries hoped that Board members would be able to attend the events which they had been invited to in Duns, Selkirk, Gala, Kelso and Peebles over the remainder of the year. The Service had put together a programme which afforded Members the opportunity to visit Retained stations, speak to crews on the ground and observe training exercises.

- 4.5 There had been circulated copies of the Scottish Fire and Rescue Service (SFRS) Performance Report covering the period 1 April to 31 March 2016. In summarising the report, Group Manager A. Girrity advised that with regard to Priority 1: Reduction of Dwelling Fires, the SFRS had attended 109 dwelling fires in comparison to 84 for the same Year to Date (YTD) reporting period last year, this represented a 30% increase. Six of these fires had been started deliberately although none in the last quarter. Cooking continued to be the most common cause of dwelling fires, over 50% started in single occupancy dwellings. A quarter of these fires involved persons 65 years old or over. Priority 2: Reduction in Fire Fatalities and Casualties, the report noted that there had been 18 fire related casualties in this reporting period, this was an increase of three compared to the same period last year. Six of these casualties went to hospital with the SFRS administering oxygen to 12 casualties. The YTD period had seen one fire fatality, there had been three non-fatal fire casualties this quarter all suffering from slight smoke inhalation. There had been no fire fatalities this quarter. Priority 3: Reduction of Deliberate Fire Setting indicated that there had been 100 deliberate fires in this YTD reporting period, an increase of 11 in comparison to the same reporting period last year. Wood, scrubland, refuse and straw bales accounted for the majority of these incidents. The decrease in the last quarter was consistent with the months of autumn and winter. Priority 4: Reduction in Road Traffic Collisions (RTCs) indicated that the SFRS attended 107 RTCs, compared to 92 for the same reporting period last year. Further analysis showed that 31% of these casualties occurred in the third quarter. This was an increase of one compared to the same period last year. There had been 74 RTC related casualties in this YTD period with six of these being fatalities. The most recent fatalities involved two adult females at separate incidents in February. The Service used Hydraulic Rescue Equipment on 32 occasions during this YTD to extricate casualties. Priority 5 related to the Reduction of Unwanted Fire Alarm Signals and it was noted that there had been 791 Unwanted Fire Alarm Signals during this quarter, representing a decrease of 114 incidents compared to the same period last year. Members noted a report by Group Manager S. Gourlay on unwanted fire alarm signals. Group Manager S. Gourlay updated

Members on home fire safety visits. It was confirmed that the Fire and Rescue Service would be present at St Boswells Fair.

**DECISION
NOTED.**

ADJOURNMENT

The meeting adjourned at 11.30 a.m. and reconvened at 11.40 a.m.

4.6 Safer Communities

MEMBERS

Councillors Aitchison and Stewart left the meeting during discussion of the following item.

Inspector Hodges advised that when taking up this post last year he highlighted his thoughts on the current reporting process for Safer Communities and Members agreed that the existing Key Performance Indicators (KPIs) were often not up to date and not an accurate reflection of Community Safety issues in the Scottish Borders nor of the work undertaken on the Board's half by his team. Inspector Hodges advised it was his intention that this would be the last time he would bring to the Board this old style of report and at the end of his submission he would introduce the new Safer Communities KPIs and proposed reporting format.

- 4.7 The Safer Communities Team continued to embrace the partnership model with Police, Fire and Rescue and NHS Colleagues working alongside Council Officers in the co-located unit at Council Headquarters. Whilst they were a small team with very limited resource their ability to reduce the level and impact of issues in a number of areas was testament to this effective partnership working. Gender Based Violence:- the Pathway Project was now entering a transition year with partnership funding agreed through to next financial year. A Multi – Agency Project Board under the Chair of Depute Chief Executive J. McDiarmid was being established to secure the long-term sustainability of their Domestic Abuse Services and they were already working closely with the Scottish Government and the Big Lottery to secure continued external funding to ease the financial burden on local partners. Reports of Domestic Abuse remained fairly constant on the last financial year and whilst some might expect these figures to have fallen given the robust approach by Police Scotland and work of support services, Inspector Hodge's view was that a more approachable and victim centred structure was in place which was encouraging previously unreported abuse. Overall the response and subsequent provision for victims and children affected by Domestic Abuse in the Scottish Borders remained very good and the number of children on the Child Protection Register as a result of Domestic Abuse reduced by 11% and the number of homeless presentations as a result of Domestic Abuse was also starting to show a positive reduction. The only figure which Members might question was that relating to surveyed clients reporting a perceived reduced risk as a result of engaging with the service however this was a "normal" reflection of areas of risk which any service would be unable to influence e.g. perpetrator behaviour continuing to be abusive during child contact. The Scottish Borders Equally Safe Strategy was out for consultation and this would direct the work of partners to address gender-based violence in its widest sense.
- 4.8 Crime and Anti-Social Behaviour:- As the Local Area Commander had already reported a welcomed reduction in calls to the Police regarding Anti-Social Behaviour in the last financial year, the Safer Communities figure which took into account all reports made to Police, Anti-Social Behaviour Team and RSLs saw a very small increase. When examining in details this could be explained by the strong approach taken by partners to this issue over a number of years. Whilst no form of Anti-Social Behaviour was acceptable for those who live, work and visit the Scottish Borders, the Team had seen a significant drop in the number of more serious cases and a rise in more minor matters, which could be addressed, directly by RSLs

or the Anti-Social Behaviour Team without the need for Police attendance. Residents now appeared to have the confidence to report more minor matters knowing that these would be addressed whenever possible. The significant drop in Anti-Social Behaviour Orders granted by courts to Borders residents demonstrated this. In 2015 only 6 new orders were granted compared to 20 the previous year and 22 in 2013. Considering that from initial report by a member of the public to an ASBO being granted could take several months and the cost to the public ran into thousands of pounds this demonstrated the Team's move to Early and Effective Intervention was both beneficial to those affected and the public purse. The figure regarding the number of Early Interventions was one which highlighted the need to improve reporting practices and future reporting would capture a range of activities which current recording practices had not. This week saw the welcomed addition of 3GS Dog Fouling and Littering Enforcement Officers to the area. Through their partnership analysts they would be provided with weekly tasking based on public complaints, information and intelligence and ensure they were deployed with equity throughout the localities in the Scottish Borders. They would complement the Council's 'Responsible Dog Owner Strategy' and the Team would continue to raise awareness and encourage preventative initiatives such as the Green Dog Walkers recently started in Newtown St. Boswells. The Team was also working with the Escape Youth Centre in Hawick with a view to a project in the town later this summer. Rural Crime remained a focus for the Team which continued to actively engage with the farming community to maintain the impetus of last year's Initiatives. This week, the team represented Police Scotland at the NSA Scotsheep event at Blythbank where over 7,000 attendees from throughout the UK and abroad gathered for the annual event. The Crime Prevention stall was one of the busiest there and very positive feedback was received. The Farm Fire Safety and Crime Prevention event would take place on Thursday 9 June between 13:00 and 15:30hrs at Haswellsykes Farm outside Peebles. Members would be more than welcome to attend. In relation to substance misuse the Common Riding season and the hard work of the Safety Advisory Board and Licensing Officers and Officials would again be put to the test. Last year saw a very safe summer of events which concluded this spring with a successful Sevens circuit. The increased footfall at Melrose Sevens as a result of the Borders Railway presented a number of challenges but those did not result in anything of note as a result of the over consumption of alcohol. The Safer Communities Team were working closely with the Youth Borders management team to assist in addressing emerging trends with young people in the five localities. This included reducing the alcohol and substance misuse issues and the impact these had in the community. Currently initiatives were being scoped in both Kelso and Peebles. In relation to accidents in the home, the figures presented were only provisional from NHS Borders and might rise by a small percentage. However, there was a small rise in hospital admissions in the over 75s as a result in falls. Whilst in comparison with last year this was not of concern, it represented a fairly substantial increase on the five-year average. The Safer Communities Team was an active partner in the Safe Living in the Home Initiative, which was to be launched in Cheviot this summer under the stewardship of Group Manager Andy Girrity. Inspector Hodges encouraged Members to attend the launch events and support this preventative initiative, which aimed to reduce unintentional harm in the home not only for the increasing elderly population but also for pre-school children. Whilst the figures in respect of accidents in the home for under 5s appeared to be showing a more positive trend, Paul Richardson the Council's Community Safety Officer had carried out detailed research and identified a number of trends in relation to Child Safety this would be addressed as part of the Team's new Action Plan. Next week was National Child Safety Week and Paul Richardson had been working with partners and would be active at a number of events across the Borders. Poor Driver Behaviour - as suggested by Board members last year the Team had started to roll out an Older Drivers Initiative under the banner of Borders Driver Gold. This was an opportunity for drivers over 60 to update their driving skills and confidence on the road, as well as refresh their knowledge on topics such as the Highway Code and modern driving techniques. The first two events were scheduled for 15 and 27 June at the Burnfoot Community Hub and the Team had worked closely with the Hawick Driving Instructors Association and other partners to develop a programme hopefully to be taken around the region over the next year. In addition to the existing young drivers training which the Team

now ran annually (current course concluded on 19 June at Duns), a very successful event under the Institute of Advanced Motorist at Charterhall was supported by Safer Communities, Police Scotland and SFRS on 21 May. Approximately 80 young people aged 14-17 had one to one driver instruction amongst many other road safety activities in a safe and controlled environment. This was no mean feat to organise but was supported not only by the Chairman, Councillor Moffat but local MP and MSP as well as Executive Officers from Police Scotland and SFRS. A positive trend was that of motorcyclists killed or seriously injured in the Scottish Borders and Safer Communities continued along with Police Scotland to work locally with partners to ensure this remained a priority. These events demonstrated a continued commitment to addressing poor driver behaviour by all partners in the Scottish Borders.

- 4.9 In respect of the new reporting format, Inspector Hodges advised that following a detailed Strategic Assessment undertaken by the Partnership Analyst involving all Safer Communities partners, The Priorities for the Safer Communities Team for 2016-19 had been set and a detailed Action Plan had now been prepared and was awaiting final review and sign off. As a result of this work, Inspector Hodges had revised the KPIs for Safer Communities and believed not only that these were a better indicator of the areas of business the Team was working in but were performance measures which the Team could be accountable for as opposed to the more generic statistics in the current report. In consultation with the Chairman, the Team had developed a reporting format which they felt would be more meaningful for Board Members and clearly showed not only how the Team was performing but highlighted the successes, issues and activities in each of the priority areas.

DECISION

(a) **NOTED.**

(b) **AGREED to endorse the new reporting format.**

5. PRESENTATION – SCOTTISH AMBULANCE SERVICE – AT THE HEART OF COMMUNITIES

Colin Baxter, A & E Team Leader gave a presentation on the work of the Scottish Ambulance Service. He gave background information in relation to the history of the service and changes in uniform since 1948. The South East Division covered 2,457 square miles. In 2013/14 the Service responded to 686,530 accident and emergency incidents, carried out 1,140,048 non-emergency patient journeys, and flew 3,427 air ambulance missions. The average response time to life-threatening calls throughout Scotland was 6.5 minutes. The Service employed 4,232 staff, of whom 550 were in support services and administration and 14 were Board members. The Patient Transport Service carried almost 1.6 million patients every year. This service was provided to patients who were physically or medically unfit to travel to hospital out-patient appointments by any other means ensuring they could still make their appointments. The Service also handled non-emergency admissions, discharges, transport of palliative care patients and a variety of other specialised roles. In June 2012 the result of a tender process for a new seven-year air ambulance contract was announced. Commencing in April 2013, the winning tenderer Gama Aviation continued to provide two rotary and two fixed-wing aircraft on a 24 hours basis throughout Scotland. The aircraft based in Glasgow were regularly used by the UK's only Emergency Medical Retrieval Service. In late 2012 a charity was founded to provide a further air ambulance to work alongside the state-funded aircraft. The Charity Air Ambulance commenced operations in 2013 and operated a Eurocopter EC-135 helicopter based at Perth Airport, crewed by Scottish Ambulance Service paramedics. Special Operations Response Teams had been set up in the north, east and west of Scotland to respond to major incidents including nuclear, chemical and radiological ones. These teams had specially equipped vehicles with decontamination equipment on board. The Scottish Ambulance Service operated three Ambulance Control Centres which provided command and control and 999 call taking facilities for the Service; these were located in Cardonald, South Queensferry and Inverness. The Service had its own dedicated training academy within the campus of Glasgow

Caledonian University. Ongoing projects consisted of (a) public access to defibrillators in all towns and villages in the Scottish Borders; (b) stroke management/fast tracking for rapid thrombolysis etc; and (c) a falls prevention strategy.

DECISION

NOTED and thanked Mr Baxter for his interesting and informative presentation.

6. DATES OF FUTURE MEETINGS

Future meetings of the Board were scheduled to take place at 9.30am in the Council Chamber, Council Headquarters, Newtown St Boswells on:-

Friday 16 September 2016

Friday 11 November 2016

Friday 10 February 2017

Friday 9 June 2017

DECISION

NOTED.

The meeting concluded at 12.15 p.m.

SCOTTISH BORDERS
COMMUNITY PLANNING STRATEGIC BOARD

MINUTE of MEETING of the
COMMUNITY PLANNING
STRATEGIC BOARD held in the
Council Chamber, Council
Headquarters, Newtown St
Boswells on 9 June 2016 at
2.15pm.

Present:- Councillors J. Brown (Chairman), S. Bell, M. Cook; Mr T. Burrows (Eildon Housing); Mr G. Farries (Scottish Fire and Rescue Service); Mrs M. Hume (3rd Sector Interface); Mr A. McKinnon (Scottish Enterprise); Mr J. Raine (NHS Borders); Superintendent B. Rogers (Police Scotland).

Apologies:- Councillors D. Parker; C. Bhatia; Mr P. Duncan (Live Borders); Councillor G. Edgar (SESTRAN); Mr T. Jakimciw (Borders College); Chief Superintendent I. Marshall (Police Scotland); Councillor S. Mountford (SBHA); Mr D. Rennie (Scottish Enterprise); Dr D. Steele (NHS Borders). Mrs R. Stenhouse (Waverley Housing).

Also Present:- Mr J. Paton-Day (Borders Community Council Network).

In Attendance:- Mrs J. McDiarmid (SBC Depute Chief Executive [People]); Mr T. Patterson (Joint Director of Public Health – SBC/NHS); Mr D. Scott, Ms S. Smith (SBC), Clerk to Council.

1. **CHAIRMAN**

In the absence of the Chairman (Councillor Parker), Councillor Brown chaired the meeting. There followed a round of introductions.

2. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 3 March 2016.

DECISION

APPROVED the Minute for signature by the Chairman.

3. **ACTION TRACKER**

There had been circulated copies of the Action Tracker for Strategic Board decisions. The decision at paragraph 4.4(b) of the Minute of Meeting of 3 March 2016, had been that the SBC Communities and Partnership Manager, LSO Farries of the Fire and Rescue Service, and Mr Patterson of the Care and Repair Service take forward the possibility of the Fire and Rescue Service assisting with some minor adaptations as part of their home safety visits. The SBC Communities and Partnership Manager advised of the successful launch of the 'Living Safely at Home' programme which had taken place at the Cheviot Area Forum on 1 June 2016, which included all partners.

DECISION

NOTED.

4. **CHARTER FOR A TOBACCO-FREE GENERATION**

4.1 There had been circulated copies of a paper by Dr Tim Patterson, Interim Joint Director of Public Health, which outlined the requirements of 'Scotland's Charter for a Tobacco-Free Generation' and the invitation from ASH Scotland to the Community Planning Partners to adopt the Charter principles. Dr Patterson commented that overall within

Scottish Borders there was 20% smoking prevalence, but this rose to 30% in deprived areas. The Charter was ambitious but also extremely important. The Charter comprised six key principles:

1. Every baby should be born free from the harmful effects of tobacco;
2. Children have a particular need for a smoke-free environment;
3. All children should play, learn and socialise in places that are free from tobacco
4. Every child has the right to effective education that equips them to make informed positive choices on tobacco and health;
5. All young people should be protected from commercial interests which profit from recruiting young smokers;
6. Any young person who smokes should be offered accessible support to help them to become tobacco-free.

4.2 By signing the Charter, the partners would be pledging to “review our personal views, policy and practice so we can confidently help protect children from tobacco and so reduce the burden of tobacco on our communities”. Once an organisation or partnership had signed the Charter pledge, then ASH Scotland would contact them to establish current plans and activities relevant to the Charter principles. There would also be an expectation to commit to a number of additional actions and provide an update on progress towards these new actions. A copy of the Charter pledge was attached as Appendix 1 to the report, and a comprehensive list of actions which supported each of the principles which had been developed was attached as Appendix 2 to the report. For many of these actions, activities were already underway that could support delivery.

4.3 The Action Plan aimed to raise awareness of the dangers of second hand smoke across a wide range of settings; provide guidance on smoke free homes for parents and prospective parents; promote smoke free environments where children played, learned and socialised; promoted and supported the development of tobacco policies in nurseries/toddler groups, schools, youth work settings and workplaces; improved referral pathways to smoking cessation support for young people; and supported Trading Standards to reduce the supply of tobacco to young people. These actions involved supporting and working with a range of individuals, professionals and services which worked with children and families. Dr Patterson further explained that smoking was still the main cause of avoidable ill health/death so anything which gave prominence to its dangers helped. As one of the most harmful habits, this was not just a health organisation issue. Mr Farries commented that smoking was the second highest cause of house fires so any reduction was to be welcomed.

DECISION

AGREED:

- (a) **to support as a Partnership the principles of ‘Scotland’s Charter for a Tobacco-free Generation’ and the associated actions to implement the principles; and**
- (b) **to note that actions to support the adoption of the Charter principles would be overseen by the Scottish Borders Joint Tobacco Control Group and that annual reports on progress would be provided.**

5. RESPONDING TO THE COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015 – CONSULTATION ON COMMUNITY PLANNING DRAFT GUIDANCE AND REGULATION

There had been circulated copies of a report by the SBC Chief Executive requesting the Board consider and agree the response to the Scottish Government’s consultation paper on Community Planning Draft Guidance and Regulation. Community Planning Partnerships would be required to have regard to the guidance in undertaking community planning. The consultation paper was included at Appendix 1 to the report and comprised nine questions, in particular on whether there were common short/

medium term performance expectations which every Community Planning Partnership and partner should be expected to meet; whether Partnerships should be required to review, and if necessary, revise their plans after a specific period of time in every case; the latest date by which Partnerships had to publish progress reports on their Local Outcomes Improvement Plans and Locality Plans; and the maximum population size of Locality Plan areas, which in the draft guidance was up to 30,000. A draft response to the consultation was shown in Appendix 2 to the report. The Board considered the response and commented that it was good to get a composite response from partners to ensure no conflicts with individual responses; the watchword was flexibility as while leadership was required for community planning, the partners needed to have the freedom to carry out the work. Mr McKinnon requested that the response to Question 1 – about the key principles of community planning – should be extended to include an example of cross-border relationships e.g. plans needed to take account of travel to work, etc. This addition was agreed.

DECISION

AGREED:

- (a) the response to the Community Empowerment (Scotland) Act 2015 Part 2 Community Planning Consultation on Draft Guidance and Regulations as set out in Appendix 2 to the report, and including the additional example to Question 1 as noted in the narrative above;**
- (b) that a report be prepared for the Community Planning Strategic Board that would set out the process for implementing the key elements of the draft Guidance. This would include the:**
 - (i) creation of a plan with timelines for the development and implementation of the Local Outcomes Improvement Plan and the 5 Locality Plans;**
 - (ii) establishment of a briefing process to ensure that Community Planning Partners were aware of their responsibilities as set out in the draft Guidance. This would include briefing notes and presentations to partner governance boards; and**
 - (iii) identification of community bodies that represent the interests of people experiencing inequalities of outcome, and the ways in which they may wish to be involved, recognising that not all groups would want to be involved and that some groups may present themselves through the participation process.**

6. GOVERNANCE OF COMMUNITY PLANNING PARTNERSHIP

6.1 With reference to paragraph 5 of the Minute of 3 March 2016, there had been circulated copies of a paper by the SBC Chief Executive, Chair of the CPP Joint Delivery Team, presenting a membership proposal that aimed to enhance the governance arrangements for the Scottish Borders Community Planning Partnership and support the delivery of its priorities, the management of future business and the new arrangements required under the Community Empowerment (Scotland) Act 2015. The governance proposal for the Strategic Board would see it change to a core Board which would meet 4 times per annum, to approve and then scrutinise the progress of the Local Outcomes Improvement Plan and the 5 Locality Plans, as well as receiving presentations or reports from each organisation on how they were contributing to the agreed priorities. The core Board would ensure that these agreed priorities would be articulated in the corporate planning documents of all partners, and accountability was demonstrated for the delivery of these priorities. The core Board would consist of representatives from Scottish Borders Council (5), NHS Borders (2) and one each from Scottish Enterprise, Police Scotland, Scottish Fire & Rescue Service, Borders College, the Registered Social Landlords, the Third Sector, and the Health & Social Care Integration Joint Board. An extended Strategic Board would meet for an annual planning and development day to set out the strategic direction and priorities for the

Local Outcomes Improvement Plan, based on an annual strategic assessment, national priorities and other key strategic documents. The membership of this extended Board would consist of the core Board and a representative from each of Skills Development Scotland, SESTRANS, Scottish Natural Heritage, Scottish Environment Protection Agency, Historic Environment Scotland, Live Borders, Visit Scotland and the Community Council Network).

- 6.2 The Joint Delivery Team would manage all operational functions of the Partnership, and would oversee the development, publication and the delivery of the Local Outcomes Improvement Plan and the 5 Locality Plans. The Joint Delivery Team would have delegated authority from the Strategic Board to direct activities, scrutinise performance, evidence change and report progress to the Board regarding the programmes of work undertaken by the Themed Delivery Teams. It would also oversee and influence the strategic direction of Community Justice, the Children and Young People's Leadership Group, the CPP Equalities Panel and the CPP Engagement Group. The current Themed Delivery Teams would continue with their work to deliver the specific priorities within the Local Outcomes Improvement Plan and the 5 Locality Plans and their membership would be extended to include representatives from Skills Development Scotland, Scottish Natural Heritage, Scottish Environment Protection Agency, Historic Environment Scotland and Visit Scotland on the Economy and Low Carbon Team; Health & Social Care Integration Joint Board on the Reducing Inequalities Team; and Live Borders on an appropriate Team.
- 6.3 Members were advised that the Registered Social Landlords had discussed the governance structure and had decided that they would have a single representative of the RSL network and this position would rotate amongst the Housing organisations as appropriate, with agendas and reports issued to all. All the Registered Social Landlords were represented on the Themed Delivery Teams. Mrs Hume expressed concern about the number of Councillors included in the Strategic Board and the Clerk to the Council advised that as the Board was currently a formal committee of Council legislation required the minimum number of Councillors to be three, with the quorum for the Board currently three Councillors and three representatives from the statutory Community Planning partners. There were other options for the Community Planning Partnership e.g. an unincorporated body, a body corporate or a Community Interest Company. It was important to agree the governance structure and move on to key activities of community planning. It was also incumbent on all the partners to contribute to agenda items.

DECISION

AGREED to defer a decision on the governance structure until officers reviewed the options, with a further report on governance for the Community Planning Partnership be brought to the next meeting in September 2016.

7. DRAFT STRATEGIC ASSESSMENT

- 7.1 The Board received a presentation from Ms Erin Murray, SBC Research and Policy Officer, on the Strategic Assessment 2016, which would be the evidence base for the Community Planning Partnership's Local Outcomes Improvement Plan and the 5 Locality Plans. This was the third edition of the Strategic Assessment which was a 200 page document and would be available on the website for download (6MB). The Assessment had been highlighted by Audit Scotland as good practice. The Strategic Assessment also informed the Health & Social Care Integration Locality Plans, the Community Learning & Development Plan, Police Scotland local plans, and the Scottish Fire and Rescue Service local plans. Information was given at a Scottish Borders level and, where possible, at a locality level on demographic and household profiles; economy and income; education and learning; life stages/health and wellbeing; community and environment; and public services. Some of the findings for each theme were shown. From 2012 to 2037 the total population of the Scottish Borders was not projected to change significantly compared to a projected 8.8% increase for Scotland. Life expectancy in the Scottish Borders was higher than

Scotland. The Borders railway usage was 22% above forecast at 6 months; over 30% of A class, and 40% of B class, roads required to be considered for maintenance treatment; and there were 35 public electric vehicle charge points across the region. GVA per capita was lower compared to Scotland and the UK but there was slightly better growth. Between 2010 and 2015 the Borders economic turnover increased by £313m, representing a 10.9% increase above the 1.3% increase for Scotland (excluding financial and insurance enterprises). The Borders had more small enterprises and these contributed more of the turnover compared to Scotland. Gross weekly pay for full time workers followed a similar pattern to GVA, with workplace based wages in the Borders consistently lower than residence based wages. Job seekers allowance by locality from 2007 to 2016 was the same pattern for all areas but highest in Teviot and lowest in Tweeddale. There was wide range of footfall in town centres in 2015 per 1000 town population – from 311 in Hawick to 1445 in Melrose. Fewer children lived in poverty compared to the rest of Scotland although there was a range across the Borders with the lowest at 4.5% and the highest at 27.8% (average 10.9%). In 2014/15, the Welfare Benefits Service had 2,364 customers who received advice, advocacy or representation and achieved £6.1m in income gains for these customers. In 2013/14, the Citizen's Advice Bureaux supported 629 clients with almost £5.5m of debt that increased to 701 clients with over £6.1m debt for 2014/15. However, in 2014/15, the Bureaux also recorded over £1.7m of financial gain for their debt clients. Fuel poverty was 43% in the Scottish Borders compared to 36% for Scotland as a whole.

7.2 Between 2011/12 and 2013/14, the proportion of school leavers with the highest SCQF level of 6 or 7 had increased by 5.3% from 58.2% to 63.5%. In 2012/13 the % of school leavers at a positive destination at 6 months averaged 92.1% varying from 78.3% in Hawick Central to 100% in Hawick North and Berwickshire Central. From 2012/13 to 2014/15 50% or more of adult learners that completed a learning opportunity thought they had achieved increased skills, increased confidence and increased health and wellbeing. At Borders College in 2014/15, the number of full time students increased and there was a 69% completion rate compared to a 64% rate for Scotland. Between 2005 and 2014, the proportion of adults with no qualifications in the Borders decreased from 11.5% to 5.7%. In 2014, the Research and Development business expenditure per person for the Scottish Borders was £52, well below the £169 for Scotland. With regard to Health and Wellbeing, for the 27-20 month health review, the Scottish Borders had more meaningful assessments and a lower proportion of those with a concern than Scotland. While the % of child obesity in Primary 1 was lower compared to Scotland (9.1% compared to 10.1%), there was a range across the Borders with 5.7% in Cheviot and 13.2% in Berwickshire. Overall a greater proportion of 13 year olds had 'never smoked' compared to 15 year olds, but in 2013 only 56% of 15 year old girls had never smoked, compared to 63% for Scotland. Type 2 diabetes was the most common on the diabetes register (5,565 of 6,284 registrations), and overall diabetes prevalence was slightly higher than for Scotland. Compared to a rate of 65% for Scotland, the Scottish Borders had 71% of adults with a BMI of 25 or more. There was also a higher level of emergency hospitalisations along with an increase in the rate of multiple emergency hospitalisations for people aged 65+. The % of primary school children taking 2 hours of physical education had increased from 23% in 2009/10 to 89% in 2014/15; 29% of adults took part in 30 minutes of moderate physical activity daily.

7.3 Parking, speeding and rubbish were the most common neighbourhood issues and 20% had witnessed or experienced anti-social behaviour. Between 2010/11 and 2014/15, there had been a 15% decrease in recorded crimes in the Borders. The total tonnage of household waste decreased by 7.2% between 2011 and 2014, but the amount going to landfill increased from 53.3% to 61.4%. There was a 77% satisfaction rate for kerbside recycling and 68% for Community Recycling Centres. Total gas and electricity consumption in the Borders had decreased between 2005 and 2014, with household energy efficiency in 2015 at 51.2 ECO (Energy Company Obligations) measures per 1000 households, which was below the level for Scotland (80.3).

Satisfaction with street cleaning was declining but most felt their neighbourhood area was a good place to live. The 2007-2013 Leader Programme had brought over £3.5m into the Scottish Borders, with the Council's Community Grant Scheme budget of £132k leveraging in almost £1m to fund projects. Over 70% surveyed said that growing the economy of the Borders and supporting retailers and businesses was the top priority, with provision of high quality care for older people and tackling poverty and inequality the next highest priorities. The Council and NHS Borders accounted for over 90% of the public sector budget within the Borders (£626m).

- 7.4 The next steps were to publish the Strategic Assessment 2016, publish extracts for each Locality, and use the Assessment to inform the development of the Local Outcomes Improvement Plan and the 5 Locality Plans. In response to a question, Ms Murray advised that the Local Housing Strategy included the data on housing. Mrs McDiarmid further advised that housing tended to be dealt with at officer level in the Community Planning Partnership rather than Board level, and linked in particularly to the Reducing Inequalities work. The presentation and links to the Strategic Assessment could be made available to the Board, with links to Locality information sent out as it was produced.

DECISION NOTED.

8. **REDUCING INEQUALITIES IN THE SCOTTISH BORDERS 2015 – 2025**
With reference to paragraph 4 of the Minute of 26 November 2015, there had been circulated copies of the 'Reducing Inequalities in the Scottish Borders 2015 – 2025 Strategic Plan Summary, June 2016'. The SBC Depute Chief Executive (People) explained that the actions within the comprehensive draft Plan which had been considered by the Board in November 2015 had required further definition to ensure that the Board would be able to see, over time, the progress being made on reducing inequalities. The Summary gave the Reducing Inequalities Delivery Team's current position under each of the 5 key inequalities themes – Employment & Income; Health & Well-being; Attainment, Achievement & Inclusion; Housing & Neighbourhoods; and Keeping People Safe – presenting a set of clear actions and performance measures. SBC Corporate Performance and Information Manager, Sarah Watters, advised that she had met with each of the lead officers for the 5 key themes to ensure that the key strategies/plans to achieve objectives were in place and how they focussed on reducing inequalities; what more needed to be done; and what outcomes should be achieved. A further 16 actions were laid out over and above those contained in other plans, along with a set of performance measures. However, it needed to be recognised that many of these were long-term actions. In response to a question, Ms Watters advised that the Health & Social Care Integration Joint Board was likely to pick up on the outcome of the Scottish Government consultation on social isolation through their dedicated locality officers. In terms of social isolation experienced by younger people, Ms Smith gave an example of young people in Jedburgh who had attended a recent seminar and made it clear they did not want to rely on their parents for transport and this had been picked up through the Health and Social Care locality officers and the Children and Young People's Leadership Group. It was anticipated that an action plan would be produced for Cheviot as a pilot locality which would feed in to the Locality Outcomes Improvement Plan. There was an improvement in reducing inequalities compared to 2 years previously, but more jobs were needed and average house prices did not fit into the 5 locality areas as the Borders housing market areas were different (northern housing market close to Edinburgh; disparity in south and west) which meant that an average Borders house price was not especially meaningful. In terms of housing inequality, this was reflected more in bad housing and lack of affordable housing. Ms Watters confirmed there would be further investigation of the housing market area references, and commented that wages had not risen but prices had. Information should come through the Local Housing Strategy and feed in to the Local Outcomes Improvement Plan. There was a correlation between house prices

and travel to work areas. The key was disposable income, with fuel poverty often related to private rented accommodation and also linked to child deprivation.

DECISION

NOTED the Reducing Inequalities in the Scottish Borders 2015 – 2025 Strategic Plan Summary, June 2016.

9. **AN INTRODUCTION TO CO-PRODUCTION**

There had been circulated copies of a report by the SBC Chief Social Work Officer which presented a co-production toolkit, which had been developed to support staff to use a co-productive approach when commissioning, designing, delivering and/or assessing services. Co-production meant people who used services were equally involved alongside professionals from the very beginning in the planning and delivery of services through a collaborative working relationship which shared knowledge, skills, and decision-making, with equality between service users/professionals. This was not a new concept and there were already areas of good practice across the Partnership, but it had been recognised that the development of guidance to support this approach would be helpful. 'An Introduction to Co-production' had been developed by a Working Group, led by the Chief Social Work Officer, which included representatives from the Council, Public Health and the Third Sector.

DECISION

AGREED to adopt the 'Introduction to Co-Production' toolkit.

10. **SCOTTISH BORDERS THIRD SECTOR INTERFACE COMMUNITY PLANNING IMPROVEMENT PROGRAMME**

With reference to paragraph 9 of the Minute of 26 November 2015, there had been circulated a copy of the updated Third Sector Interface Community Planning Improvement Programme. Third Sector representative, Mrs Hume, gave the background to the Programme which identified improvements required within communication, representation and accountability, and detailed the outcomes, how they would be measured, and target dates. Mrs Hume further advised that while this was the latest version of the Improvement Plan, it may be overtaken by the outcome of the evaluation of the Third Sector Interface which could provide a template for further improvements.

DECISION

AGREED the Third Sector Interface Community Planning Improvement Programme update.

11. **DATES OF NEXT MEETINGS**

There had been detailed on the agenda the dates for the meetings of the Strategic Board for 2016/17.

DECISION

NOTED.

The meeting concluded at 3.45 p.m.

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SCOTTISH BORDERS COUNCIL
CIVIC GOVERNMENT LICENSING COMMITTEE

MINUTE of Meeting of the CIVIC
GOVERNMENT LICENSING COMMITTEE
held in the COUNCIL CHAMBER, PATON
STREET, GALASHIELS on Monday, 13 June
2016 at 10.30 a.m.

Present:- Councillors W. Archibald (Chairman), J. Greenwell, B. Herd, G. Logan,
D. Paterson, J. Torrance, T. Weatherston, B. White.
Apologies:- Councillors J. Campbell, R. Stewart.
In Attendance:- Managing Solicitor – Property and Licensing, Licensing Team Leader,
Licensing Standards and Enforcement Officers (Mr I. Tunnah and Mr M.
Wynne), Democratic Services Officer (K. Mason), P.C C. Lackenby,
Inspector M. Bennett - Police Scotland.

1. **MINUTE**

The Minute of the Meeting of 20 May 2016 had been circulated.

DECISION

APPROVED and signed by the Chairman.

2. **LICENCES ISSUED UNDER DELEGATED POWERS**

There had been circulated copies of lists detailing the Civic Government and
Miscellaneous Licences issued under delegated powers between 12 May – 2 June 2016.

DECISION

NOTED.

3. **PRIVATE BUSINESS**

DECISION

**AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to
exclude the public from the meeting during consideration of the business detailed
in the Appendix to this Minute on the grounds that they involved the likely
disclosure of exempt information as defined in paragraph 12 of part 1 of Schedule
7A to the Act.**

SUMMARY OF PRIVATE BUSINESS

4. **LICENSING OF TAXI, PRIVATE HIRE VEHICLES AND DRIVERS – MARTIN
DAVIDSON**

The Committee considered an application for the grant of a Taxi Driver Licence submitted
by Mr Martin Davidson and agreed to grant a Taxi Driver Licence with delegated powers
subject to confirmation of his medical fitness to drive a taxi vehicle to DVLA group 2
standard within 14 days otherwise the matter be referred to the next meeting.

5. **TAXI DRIVER LICENCE – JOHN ADAM**

With reference to paragraphs 6 and 7 of the Private Minute of 20 May 2016, the
Committee considered various letters containing medical information relating to Mr John
Adam and agreed that Mr Adam was medically fit to continue to hold a Taxi Driver's
Licence.

MINUTE

6. The Private section of the Minute of 20 May 2016 was approved.

The meeting concluded at 11.20 a.m.

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SCOTTISH BORDERS COUNCIL
PENSION FUND COMMITTEE & PENSION BOARD

MINUTE of Meeting of the PENSION FUND
COMMITTEE AND PENSION BOARD held
in the Waverley Room, Transport
Interchange, Galashiels on Thursday, 16
June, 2016 at 10.00 am

Present:- Councillors B White (Chairman), S Aitchison, M J Cook, G Edgar, G Logan,
J Mitchell, S Mountford, Mr M Drysdale, Ms L Ross.
Apologies:- Councillor J Campbell, Ms C Stewart, Mr C Hogarth and Mr P Smith
In Attendance:- Chief Financial Officer, HR Shared Services Manager, Treasury & Capital
Manager, Mr C Brunton-Smith, Mr D O'Hara (KPMG), Democratic Services
Officer (J Turnbull).

1. **ORDER OF BUSINESS**

The Chairman varied the order of business as shown on the agenda and the Minute reflects the order in which the items were considered at the meeting.

2. **MINUTE**

There had been circulated copies of the Minute of the Meeting of 23 March 2016.

DECISION

NOTED for signature by the Chairman.

3. **KPMG**

3.1 The Chairman welcomed Mr David O'Hara and Mr Calum Brunton-Smith from KPMG, who had been appointed Investment Advisors to Scottish Borders Council's Pension Fund. Mr O'Hara and Mr Brunton-Smith thanked Members for their appointment. They advised that they both had many years of experience in the investment market managing risks. Their clients including Strathclyde and Lothian Local Government Pension Funds (LGPS), as well as private clients. They considered that the structure of the Scottish Borders Council's Pension Fund had performed well and they would provide guidance to ensure that the Fund continued to evolve to reflect current market conditions.

3.2 In response to a question regarding the pooling of pension fund assets, Mr O'Hara advised that reform of LGPS was taking place in England and Wales to stimulate investment in infrastructure projects. KPMG would support and advise on this issue going forward. Mr Robertson added one of the reasons for the pooling of pension fund resources was that in England and Wales the funding levels tended to be much lower, in some cases 60 – 70%; the Scottish Borders Fund was 101%. Scottish Funds recognised the political drive to pool assets and invest in infrastructure projects and representatives had met to discuss joint investment opportunities. However, this should only be considered if there were lower fees and the ability to maximise returns for the Fund. Officers were presently exploring opportunities with other Scottish LGPS funds, for joint investments in infrastructure, but this would, it was thought, be on a voluntary, not a pooled basis. Mr Robertson emphasised that it would ultimately be for the Committee and Board to decide whether to pursue any collaboration projects and he would continue to update Members at meetings.

DECISION

NOTED the report.

MEMBER

Councillor Aitchison joined the meeting during consideration of the above report.

4. TRAINING PLAN 2016/17

- 4.1 There had been circulated a report by Chief Financial Officer comparing the actual 2015/16 attendance for Pension Fund Committee and Board Members to the requirements detailed in the current Training Policy approved in June 2015 and proposing key areas of training for 2016/17, in-line with the policy and based on the Skills Knowledge assessment recently undertaken. In June 2015 the Pension Fund Committee and Board agreed an updated Training Policy which reflected the revised governance structure. A copy of the revised policy was contained in Appendix 1 to the report. In line with this Policy, the Pension Fund agreed to undertake an annual knowledge and skills self-assessment which would identify the key areas for the future years' training plan. The Training Knowledge and Skills Assessment had been undertaken in April and was summarised in Appendix 2 of the report. The proposed Training areas for 2016/17 were detailed for approval and Members were strongly encouraged to actively participate in all training events to demonstrate their commitment to building the knowledge to support effective decision making.
- 4.2 Mrs Robb advised that the target was for Members of the Pension Fund Committee and Pension Board to attend at least two training sessions each year. All Members of the Pension Fund Committee had fully met the training requirement. However, the training requirement had not been met by Members of the Pension Board, in part due to changes of membership to the Board. Mrs Robb further advised that Members would be invited to attend an event in September covering various areas including the Role of Custodian, information would be circulated when received. Baillie Gifford were also hosting a Seminar on 5 and 6 October. There would also be a further event – 'Generating Growth for Your Fund' on 27 and 28 October (two half days) in Edinburgh, details would be circulated to Members. Mrs Robb would also investigate holding a drop-in session on use of the online toolkit.

DECISION

- (a) **AGREED to approve the Training areas for 2016/17 set out in para 6.1 of the report and that all Members should prioritise attendance at training events whenever practicable.**
- (b) **NOTED the outcome of the Knowledge and Skills Self-Assessment.**

5. PENSION ADMINISTRATION PERFORMANCE 2015/16

- 5.1 There had been circulated a report by Chief Officer Human Resources presenting the Pensions Administration Performance for 2015/16 and requesting the Committee's approval for its inclusion in the Annual Report for the Fund. Appendix 1 to the report, contained the Pensions Administration Performance for 2015/16 as it would be included in the Fund's Annual Report and Accounts. During 2015/16 there was a decrease in the number of payments being received late when compared to 2014/15 with only one late payment being made by Scottish Borders Housing Association. Performance in general had improved when compared to last year, particularly with the issuing of benefit statements in August rather than late October and estimates provided being on a par with the previous reporting year. There had been another successful Employer Liaison Meeting held during 2015/16 and agreement reached that this would be a useful event to hold on an annual basis, which would be scheduled in due course.
- 5.2 Mr Angus, HR Shared Services Manager, was in attendance and in answer to questions advised that with regard to auto-enrolment the majority of members had elected to remain in the Fund. There had also been an increase in active members due to the Unions promoting the benefits of LGPS. He further advised that primarily transfers out of the Fund had been to other local authority pension schemes.

DECISION

- (a) **AGREED** the inclusion of the Pension Administration Performance for 2015/16 in the Pension Fund Annual Report and Accounts 2015/16.
- (b) **NOTED** the Pension Administration Performance for 2015/16 as set out in Appendix 1 to the report.

6. GOVERNANCE POLICY AND COMPLIANCE STATEMENT 2016

There had been circulated a report by Chief Financial Officer proposing the revised Governance Policy and Compliance Statement for the Scottish Borders Council Pension Fund (the Pension Fund) following implementation of the 2015 regulatory changes. The report also requested approval of the Governance Compliance Statement for inclusion in the Pension Fund's Annual Report and Accounts 2015/16. Appendix 1 to the report contained the revised Governance Policy and Compliance Statement for the Pension Fund. The Governance Compliance Statement was included in Appendix 1 to the policy and demonstrated that the Pension Fund was in full compliance with the best practice guidance. Mrs Robb highlighted that the main change to the Statement was the appointment of KPMG as Investment Advisor to the Pension Fund and the removal of the performance services provided by WM Company.

DECISION

AGREED the revised Governance Policy and Compliance Statement 2016 and the Governance Compliance Statement for inclusion in the Pension Fund Annual Report and Accounts 2015/16.

7. BUSINESS PLAN 2016/17 - 2018/19

- 7.1 There had been circulated a report by Chief Financial Officer proposing the Pension Fund Business Plan 2016/17 – 2018/19. Best practice suggested that having a business plan for the Pension Fund was a good way of demonstrating compliance with the “Myners Principle” relating to effective decision making. Appendix 1, to the report, contained the first Pension Fund Business Plan, covering the period 2016/17 – 2018/19. The Business Plan identified an Action Plan that would be delivered during the next three years to support the aims and objectives of the Pension Fund.
- 7.2 Mrs Robb highlighted the appointment of KPMG as Investment Advisor to the Fund and that the procurement of Custodian was progressing. These appointments ensured that external services provided to the Fund represented best value. In answer to a question regarding social responsible investment, Mrs Robb advised that officers were developing a policy which would be presented to the Committee and Board for discussion. Mr Angus added that online Self-Service would be available later this year or early next year. This would enable Fund members to access their pension information, obtain projections and ensure the accuracy of Pension Records.

DECISION

AGREED the Pension Fund Business Plan 2016/17 – 2018/19 as set out in Appendix 1 to the report.

8. RISK REGISTER UPDATE

- 8.1 There had been circulated a report by Chief Financial Officer which formed part of the risk review requirements and provided Members of the Pension Fund Committee and Pension Board with an updated full register and proposed management actions to mitigate risks. Identifying and managing risk was a corner stone of effective management and was required under the Council's Risk Management Policy and process guide under CIPFA's guidance “Delivering Governance in Local Government Framework 2007”. It was further reflected and enhanced in the ‘Local Government Pension Scheme’ published by CIPFA. A full risk workshop had been held on 30 May 2016 with officers from relevant

departments reviewing and updating the full risk register. The output of this was shown in Appendix 1 to the report. In line with the Council's Risk Management Policy (2015) a paper, to be presented at the September 2016 meeting, would report progress on management actions and present any new risks for consideration.

- 8.2 Following discussion on the residual red risks, Mrs Robb advised that Risk was being managed by participation in CIPFA and the Scottish Pension Network, this allowed changes and impacts to be identified quickly. Additional actions proposed included the input of legislative changes through active membership of COSLA and investigating joint investment opportunities with other LGPS funds. With regard to Risk 4.1, Mr Robertson stated that prior to a request for ERVS being considered by Council it had been through a rigorous process to ensure that the needs of the Council continued to be met. An additional action proposed in the Risk Register to monitor early retiral decisions, was that the impact on the Pension Fund be included as part of the Council report and this was welcomed by Members.

**DECISION
AGREED:-**

- (a) **The updated Full Risk register as contained in Appendix 1 to the report; and**
- (b) **To update on progress of management actions to be presented in September 2016.**

9. **DRAFT ANNUAL REPORT (INCLUDING ANNUAL ACCOUNTS)**

- 9.1 There had been circulated a report by Chief Financial Officer presenting the Draft Annual Report and Accounts for the Pension Fund 2015/16 as part of the consultation process prior to submission of the Report to the Audit Committee and the External Auditors. The Local Government Pension Scheme Amendment (Scotland) Regulations specified elements which must be contained in para 4.1. The draft Report and Accounts contained in Appendix 1 to the report, fully met those requirements. The draft Report and Accounts were still subject to Audit, which would commence early July. Following Audit sign-off, the final Report and Accounts would be circulated to the joint Committee and Board.
- 9.2 Mrs Robb referred to the overview of the Fund membership which showed that in 2016 the current membership was 10,259 of which 4,594 were actively contributing and 3,157 were in receipt of pension benefits. There had also been an increase in the Admitted Bodies with the addition of SBCares. The closing net asset as at 31 March 2016 was £542,260,000. Mrs Robb advised that officers were working with KPMG and the Custodian on taxation and actively pursuing outstanding tax refunds.

DECISION

AGREED the Pension Fund Annual Reporting and Accounts 2015/16 contained in Appendix 1, with minor amendments, prior to the submission to Audit and Risk Committee on 28 June 2016 and the subsequent statutory audit process.

10. **CUSTODIAN PROCUREMENT**

- 10.1 There had been circulated a report by Chief Financial Officer providing the Committee and Board with an update on the procurement for the Pension Funds Custodian. Identified within the Business Plan approved at Committee on 16 June 2016 was the requirement to undertake a tender process for Custodian services. It was also previously approved on 10 December 2015 that the procurement would be undertaken using the Norfolk Framework. A review of the current services provided by the current custodian JP Morgan against the requirements from both an asset security and accounting perspective was undertaken which highlighted the requirement to expand the services to be procured. This would include Performance monitoring information previously provided by WM Performance Services. Officers would work with Members of the Pension Fund

Appointment Sub Group to evaluate the tenders and agree a recommendation to the September 2016 Joint Pension Fund Committee and Pension Board.

- 10.2 In response to a question, Mrs Robb confirmed that there would be an increased cost for the additional Investment Accounting service. The Capital and Investment Team currently undertook the work required and this was proving more challenging each year and the risk of error was increasing. Consequently, there was considered a requirement to source accounting and performance services as part of the procurement of a new Custodian. The final costs would be reported to the Committee and Board at the September meeting.

DECISION:-

(a) **AGREED** the revised services to be procured.

(b) **NOTED:-**

- (i) **the timetable for the procurement as detailed in para 4.3 of the report; and**
(ii) **A further report and update would be provided at the September meeting.**

11. **PRIVATE BUSINESS**

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business contained in the following items on the ground that they involved the likely disclosure of exempt information as defined in paragraphs 6 and 8 of the part 1 of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

12. **MINUTE**

The Committee noted the Private Minute of the meeting of 23 March 2016.

The meeting was adjourned at 11.35 am and reconvened at 11.45 am.

13. **TIMETABLE FOR INVESTMENT STRATEGY REVIEW (ASSET ALLOCATION)**

The Committee noted a report by KPMG.

14. **INVESTMENT REPORT - QUARTER TO 31 MARCH 2016**

The Committee noted a report by KPMG.

15. **INFRASTRUCTURE INVESTMENTS**

The Committee noted a report by Chief Financial Officer.

16. **URGENT BUSINESS**

Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Chairman was of the opinion that the item dealt with in the following paragraph should be considered at the meeting as a matter of urgency, in view of the need to keep Members informed.

17. **CURRENCY HEDGE**

The Committee noted a report by Chief Financial Officer.

The meeting concluded at 1.15 pm

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SCOTTISH BORDERS COUNCIL
PENSION BOARD

MINUTE of Meeting of the PENSION BOARD held in THE WAVERLEY ROOM, TRANSPORT INTERCHANGE, GALASHIELS on Wednesday, 16 June, 2016 at 1.20 pm.

Present:- Councillors S Aitchison (Chairman – Item No. 1) Mr A Barclay (Chairman - Item No 2 - No 4), Mr M Drysdale, Ms L Ross.
Apologies:- Mr P Smith, Mr C Hogarth.
In Attendance:- Capital & Investment Manager, Democratic Services Officer (J Turnbull).

MEMBER

Councillor S Aitchison in the Chair.

1. ROTATION OF CHAIRMAN AND VICE-CHAIRMAN

- 1.1 It was noted that in accordance with the Pension Board Constitution, Mr A Barclay be appointed as Chairman and Councillor S Aitchison be appointed as Vice-Chairman. The appointments would run until June 2017.

DECISION NOTED

- (i) That Mr A Barclay be appointed as Chairman of the Pension Board until June 2017; and
- (ii) That Councillor S Aitchison be appointment as Vice-Chairman of the Pension Board until June 2017

MEMBER

Mr A Barclay in the Chair.

2. MINUTE

There had been circulated copies of the Minute of the Meeting of 23 March 2016.

DECISION

NOTED for signature by the Chairman.

3. MATTERS ARISING FROM THE MINUTE

With reference to paragraph 2.2 of the Minute of the 23 March, the Board requested that pre-meetings continue and be scheduled prior to the joint meeting. It was also requested that the Committee Clerk send a reminder to Board Members notifying that a pre-meeting had been arranged.

DECISION AGREED

- (i) To continue with the pre-meetings prior to the joint meeting of the Pension Board and Pension Fund Committee; and
- (ii) To request the Clerk circulate a timely reminder to Board Members advising that a pre-meeting had been scheduled.
- 4. JOINT MEETING OF PENSION COMMITTEE AND PENSION BOARD**

- 4.1 The Chairman advised that Ms R Black was leaving the employment of Scottish Borders Council and would therefore no longer be a Member of the Pension Board. Union representatives would be holding a meeting on 22 August 2016, following which they would notify the Clerk of their replacement member. It was also requested that Mr Smith be asked to inform the Clerk of any meetings he was unable to attend in advance, in order that a replacement member could attend.
- 4.2 The Board considered that training opportunities planned for September and October would be helpful for Board Members, the Capital and Investment Manager, Mrs Robb, would circulate details. Any Members interested should contact Mrs Robb.

DECISION

AGREED

- (i) **To request that the Union representative advise of the replacement for Ms R Black; and**
- (ii) **To request that details of training events be circulated to Pension Board Members.**

The meeting concluded at 1.30 pm

SCOTTISH BORDERS COUNCIL
PLANNING AND BUILDING STANDARDS COMMITTEE

MINUTE of MEETING of the PLANNING
AND BUILDING STANDARDS COMMITTEE
held in the Council Headquarters, Newtown
St. Boswells on 27 June 2016 at 10.00 a.m.

Present: - Councillors R. Smith (Chairman), M. Ballantyne, J. Brown, J. Fullarton, I. Gillespie, D. Moffat, S. Mountford, B. White.
Apologies:- Councillor J. Campbell.
In Attendance:- Development Standards Manager, Principal Roads Planning Officer, Solicitor (Graham Nelson), Democratic Services Officer (F Henderson).

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 30 May 2016.

DECISION

APPROVED for signature by the Chairman.

2. **APPLICATION**

There had been circulated copies of reports by the Service Director Regulatory Services on an application for planning permission requiring consideration by the Committee.

DECISION

DEALT with the application as detailed in Appendix I to this Minute.

3. **APPEALS AND REVIEWS**

There had been circulated copies of a report by the Service Director Regulatory Services on Appeals to the Scottish Ministers and Local Reviews.

DECISION

NOTED that:-

(a) **Scottish Ministers had sustained an appeal in respect of the wind farm development comprising 9 No wind turbines and associated infrastructure/buildings/access (further revised scheme – tip heights of Turbines 1, 2 and 4 reduced to 110m – all others to remain at 125m) on Land North East and North West of Farmhouse Braidlie (Windy Edge), Hawick.**

(b) **there remained 2 appeals outstanding:-**

(i) **Land South East of Halmyre Mains farmhouse (Hag Law), Romanno Bridge;**

(ii) **Land North of Upper Stewarton, (Kilrubie Wind Farm Development), Eddleston, Peebles; and**

(c) **review requests had been received in respect of the following:-**

- (i) **Erection of dwellinghouse and upgrade access track at Redundant Water Treatment Works, North East of Broughton Place Cottage, Broughton – 15/00890/PPP;**
 - (ii) **Erection of three dwellinghouses on Land North of Bonjedward Garage, Jedburgh - 15/01521/PPP;**
 - (iii) **Erection of cattle court incorporating storage areas and staff facilities and erection of animal feed silo in Field No 0328 Kirkburn, Cardrona - 16/00114/FUL;**
 - (iv) **Change of use from storage barn, alterations and extension to form dwellinghouse on Land and Storage Barn East of Flemington Farmhouse, West Flemington, Eyemouth - 16/00136/FUL.**
- (d) **the Local Review Body had upheld the Appointed Officers decision to refuse the erection of dwellinghouse Builders at Yard on Land South West of 76 St Andrew Street, Galashiels – 15/01557/FUL.**
- (e) **The Local Review Body had overturned the Appointed Officers decision in respect of the following:-**
- (i) **to refuse the change of use from Class 4 (Office) to Class 2 (Beauty Therapy Salon) at Block 2, Unit 6, Cherry Court, Cavalry Park, Peebles – 15/01498/FUL; and**
 - (ii) **removal of Condition 3 of planning permission 04/02011/FUL pertaining to occupancy of the dwellinghouse at Craigie Knowe, Blainslie Road, Earlston**
- (f) **there remained three reviews outstanding:-**
- (i) **Land South of Camphouse Farmhouse, Camptown, Jedburgh;**
 - (ii) **5 East High Street, Lauder ; and**
 - (iii) **Land South of Primary School, West End, Denholm.**

URGENT BUSINESS

4. Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Chairman was of the opinion that the item dealt with in the following paragraph should be considered at the meeting as a matter of urgency, in view of the need to keep Members informed.

PERFORMANCE MONITORING

5. The Chairman reported that the Planning Performance Framework 2015/16 report for submission to Scottish Ministers would not be ready until the end of July 2016. The Chairman highlighted that there had been significant improvements in terms of performance in a number of categories. As the next scheduled meeting was Monday, 1 August 2016, the Chairman requested that Members grant delegated authority to Officers to enable the preparation of the full version of the Planning Performance Framework 2015/16 to be completed and submitted to Scottish Ministers within the timescale.

DECISION

AGREED to grant delegated authority to Officers to enable the full version Planning Performance Framework 2015/16 to be completed and submitted to Scottish Ministers within the timescale.

6. **PRIVATE BUSINESS**

DECISION

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix II to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 8 of Part 1 of Schedule 7A to the aforementioned Act.

SUMMARY OF PRIVATE BUSINESS

1. **MINUTE**

The Committee considered the private section of the Minute of 30 May 2016.

URGENT BUSINESS

2. Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Chairman was of the opinion that the item dealt with in the following paragraph should be considered at the meeting as a matter of urgency, in view of the need to keep Members.

CAVALRY PARK, INDUSTRIAL UNITS, PEEBLES

3. With reference to paragraph 4 and Appendix III of the Local Review Body Meeting held on 6 June 2016, the Chairman led discussion on studies which had now been done into the Use Class pattern within Cavalry Park, Peebles.

The meeting concluded at 12.20 p.m.

APPENDIX I

APPLICATIONS FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
16/00364/PPP	Residential development comprising five houses and associated access.	Redundant Station Yard and associated access, Dolphinton, West Linton

Decision : APPROVED subject to the following conditions and informatives and the completion of a legal agreement for development contributions:

1. No development shall commence until the details of the layout, siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site have been submitted to and approved in writing by the Planning Authority.

Reason: To achieve a satisfactory form of development, and to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

2. Application for approval of matters specified in the conditions set out in this decision shall be made to the Planning Authority before whichever is the latest of the following:
(a) the expiration of three years from the date of this permission, or
(b) the expiration of six months from the date on which an earlier application for approval of matters specified in the conditions set out in this decision notice was refused or dismissed following an appeal.

Only one application may be submitted under paragraph (b) of this condition, where such an application is made later than three years after the date of this consent.

Reason: To achieve a satisfactory form of development, and to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

3. No development shall commence until all matters specified in conditions have, where required, been submitted to and approved in writing by the Planning Authority. Thereafter the development shall only take place except in strict accordance with the details so approved.

Reason: To achieve a satisfactory form of development, and to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

4. The number of houses forming part of the development hereby approved shall be limited to five.

Reason: To ensure a satisfactory form of development, and for the avoidance of doubt.

5. Unless otherwise agreed in writing and in advance by the Planning Authority, prior to any development commencing on site, a scheme will be submitted by the Developer (at their expense) to identify and assess potential contamination on site. No construction work shall commence until the scheme has been submitted to, and approved, by the Council, and is thereafter implemented in accordance with the scheme so approved.

The scheme shall be undertaken by a competent person or persons in accordance with the advice of relevant authoritative guidance including PAN 33 (2000) and BS10175:2011 or, in the event of these being superseded or supplemented, the most up-to-date version(s) of any subsequent revision(s) of, and/or supplement(s) to, these documents. This scheme should contain details of proposals to investigate and remediate potential contamination and must include:-

- a) A desk study and development of a conceptual site model including (where necessary) a detailed site investigation strategy. The desk study and the scope and method of recommended further investigations shall be agreed with the Council prior to addressing parts b, c, d, and, e of this condition.

and thereafter
- b) Where required by the desk study, undertaking a detailed investigation of the nature and extent of contamination on site, and assessment of risk such contamination presents.
- c) Remedial Strategy (if required) to treat/remove contamination to ensure that the site is fit for its proposed use (this shall include a method statement, programme of works, and proposed validation plan).
- d) Submission of a Validation Report (should remedial action be required) by the developer which will validate and verify the completion of works to a satisfaction of the Council.
- e) Submission, if necessary, of monitoring statements at periods to be agreed with the Council for such time period as is considered appropriate by the Council.

Written confirmation from the Council, that the scheme has been implemented completed and (if appropriate), monitoring measures are satisfactorily in place, shall be required by the Developer before any development hereby approved commences. Where remedial measures are required as part of the development construction detail, commencement must be agreed in writing with the Council.

Reason: To ensure that the potential risks to human health, the water environment, property, and, ecological systems arising from any identified land contamination have been adequately addressed.

6. The development hereby permitted shall not be commenced before fully detailed design proposals for foul and surface water drainage, demonstrating that there will be no negative impact to public health, the environment or the quality of watercourses or ground water, have been submitted to and approved by the Planning Authority.

Reason: The Planning Authority is aware that drainage issues are likely to arise at this site, that have not been fully addressed in the outline/change of use planning application, which establishes only the land-use principle of the area of land identified in the submitted drawing(s).

Informatives

1. Landscaping
The landscaping scheme to be submitted at the detailed planning stage shall include details of the following:

- i. existing and finished ground levels in relation to a fixed datum preferably ordnance
- ii. existing landscaping features and vegetation to be retained and, in the case of damage, restored
- iii. location and design, including materials, of walls, fences and gates
- iv. soft and hard landscaping works
- v. existing and proposed services such as cables, pipelines, sub-stations
- vi. other artefacts and structures such as street furniture, play equipment
- vii. a pedestrian link to the existing bus stop and pedestrian/cyclist link to the wider countryside
- viii. A programme for completion and subsequent maintenance.

2. Layout

- The maximum number of new builds served by a private road is four. Depending on the layout for the proposed development, this may result in the need for the road to be constructed to an adoptable standard. However if the layout was designed in a manner that the first plot was served via the existing public road, even if it was just a pedestrian link depending on the close proximity of the plot to the public road, then the road serving the remaining four plots could remain private.
- Parking provision would be either 225% for curtilage parking or 175% for communal parking.
- Pedestrian provision to be incorporated into the design.

Reference

16/00413/FUL

Nature of Development

Installation of 15m monopole including antennas, ground-based cabinets and fence enclosure

Location

Land South of Deveron Cottage, The Loaning, Denholm.

NOTE

Mr Malcolm Robinson and Mrs Linda Hislop spoke against the application.

Decision: APPROVED, subject to the following conditions:-

1. Decision: The existing mature ash tree to the east of the site (Highlighted in green on approved drawing 201) is to be protected during construction of the mast by a temporary fence, the full details of which are to be submitted to and approved in writing by the Planning Authority prior to the commencement of development. Thereafter the protective fencing is to be erected prior to commencement of development, and to be retained for the duration of construction works on the site.
Reason: To protect the neighbouring mature ash tree, which makes a significant contribution to the site setting.
2. The adjoining public Right of Way (BR135) "Border Abbeys Way" is to remain free from obstruction during the construction of the development hereby approved.
Reason: To ensure public rights of access are not diminished during construction works on the site.
3. No development shall take place until a scheme indicating the colour(s) of the proposed pole and all associated equipment has been submitted to and approved in writing by the Planning Authority. The colour(s) shall be chosen to reflect the rural location of the site. Thereafter, no development shall take place except in strict accordance with the details so approved.
Reason: To minimise the visual impact of the proposed structure given its rural location, and to reduce its visibility from the adjoining settlement.

Applicant Informative

The developer should liaise with the Council's Access Team to ensure the Right of Way is protected during the construction period and no adverse damage is inflicted on the path as a result of construction vehicles accessing the site.

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SCOTTISH BORDERS COUNCIL AUDIT AND RISK COMMITTEE

MINUTE of Meeting of the AUDIT AND RISK COMMITTEE held in Council Headquarters, Council Headquarters, Newtown St Boswells on Tuesday, 28 June, 2016 at 10.15 am

- Present:- Councillors M. Ballantyne (Chair), I. Gillespie, A. J. Nicol (from para 2), S. Scott and B White (Vice-Chairman). Mr M. Middlemiss.
- Also present:- Councillor S. Aitchison (para 2)
- Apologies:- Mr H. Walpole.
- In Attendance:- Chief Financial Officer, Chief Officer Audit and Risk, Service Director Children & Young People (for Item 5), Democratic Services Officer (F Walling); Mr M. Swann – KPMG.

EXTERNAL MEMBER

The Chief Officer Audit and Risk informed the Committee that Mr Paul McGinley had resigned from the Committee due to an unforeseen commitment. Mr McGinley was thanked for his attendance at the previous meetings.

1. **MINUTE.**

There had been circulated copies of the Minute of 9 May 2016.

DECISION

APPROVED for signature by the Chairman.

MEMBER

Councillor Nicol joined the meeting during the discussion below.

2. **RISK MANAGEMENT IN SERVICES.**

The Service Director Children & Young People, Donna Manson, was in attendance to brief the Committee on the strategic risks facing the service, to explain the internal controls and governance in place to manage and mitigate those risks and to demonstrate how risk management was embedded within services. Ms Manson provided hand-outs to supplement her presentation. She explained that Risk Registers were held for each of the following services: Early Years; Schools; Additional Support Needs; Community Learning & Development; Children & Families Social Work; and Business Support. Service Risk Registers were developed through the Business Planning Process and were owned by Service Managers. The Registers were reviewed by the Service Director and Management team with risks being escalated to the Corporate Management Team if considered necessary. Ms Manson referred to the key overarching issues facing her service. With regard to Financial Pressures the challenge was to contribute to savings whilst delivering outcomes but she stressed that the savings identified were deliverable. Within Health and Wellbeing of Children and Families mental health was a growing issue. In this respect the Council was working with partners to improve universal provision and strategies were being developed with young people through the curriculum. With regard to Government policies and legislation, the service had to face increasing demands and expectations of key stakeholders and address any changes. The Service Director highlighted the key risks and challenges as follows: balancing the needs of all families when implementing changes required by new legislation; identifying and adequately supporting young people with mental and emotional wellbeing issues; ensuring all parts of

the service were fully integrated; managing pressures in external placements for care or education which may impact on budget and may not sufficiently meet needs; and failing to achieve attainment targets and positive outcomes for young people through a lack of focus on quality improvement. Ms Manson went on to explain how the management of risk was embedded into the Business Planning Process to ensure risks were reflected in strategic plans and action plans. Partnership working with the NHS was critical. Areas for Improvement and key actions were identified and agreed for each service area. Critical dependencies were also identified such as the School Estate which was currently subject to a review. Risks were further managed through Quality Improvement Frameworks and by developing a culture of self-evaluation, ambition and improvement whilst regularly monitoring risks. In this respect Ms Manson welcomed inspections and both internal and external scrutiny. Key measures of performance arising from effective data capture, analysis and target setting indicated that standards were being raised. Within the National Improvement Framework the Borders were in the top quartile in many areas. Ms Manson answered Members' questions on specific areas of risk facing her service. She confirmed that work had been carried out in advance of the proposed 'Named Person' legislation and that although guidance from Scottish Government was awaited the Council was in a position to implement this. She advised that there was no financial risk associated with this legislation. In response to a question about school buildings and in particular Howdenburn School, Ms Manson referred to the extreme circumstances that caused the storm damage at Howdenburn. She gave assurance that all school buildings in the Scottish Borders had been inspected as part of the National Review of school buildings. The Chairman thanked the Service Director for her attendance and presentation.

DECISION

NOTED the presentation.

3. RISK MANAGEMENT ANNUAL REPORT 2015/16.

With reference to paragraph 14 of the Minute of 19 January 2015, there had been circulated copies of a report by the Chief Officer Audit and Risk. The report provided Members with an overview of Scottish Borders Council's responsibilities in respect of risk management and the progress made to deliver the Council's Risk Management Strategy 2015 including an update on improvement actions to refine the arrangements to managing risk at the Council. The report explained that the Risk Management review was undertaken during 2014, the findings of which were presented to Audit and Risk Committee in January 2015 along with recommended improvement actions to refine the risk management arrangements at the Council to ensure their on-going effectiveness. The status of the corporate risk management improvement actions as at 17 March 2016 were shown in Appendix 1 to the report. The report set out examples of specific work carried out by the Corporate Risk Officer with relevant managers in 2015/16 and the associated positive outcomes and working relationships that had been established. The Appendix outlined actions which had been completed and those due for completion by the end of 2016. Work in progress included a programme of risk management training for relevant managers on the revised policy and process which had been launched during 2015. Workshops in 2015/16, led by the Corporate Risk Officer, had resulted in the development of Risk Registers for the majority of service areas. A Risk Register review process was underway for 2016/17. In response to a question the Chief Officer Audit and Risk, confirmed that there had been appropriate levels of engagement from Departments but that, for reassurance, an update on attendance at training and workshops would be fed back to the Committee. With regard to the improvement action to standardise Risk Reporting reports from Covalent, Members agreed that it would be helpful to have a briefing regarding Management's utilisation of Covalent as a tool in respect of Risk Management, but that this should be part of an informal session.

DECISION

- (a) **ACKNOWLEDGED that it was satisfied with the progress of the risk management improvement actions to refine the risk management arrangements at the Council to ensure their on-going effectiveness; and**
- (b) **AGREED to receive an informal briefing on Management's utilisation of Covalent as a tool in respect of Risk Management.**

4. **COUNTER FRAUD ANNUAL REPORT 2015/16.**

With reference to paragraph 4 of the Minute of 30 June 2015, there had been circulated copies of a report by the Chief Officer Audit and Risk. The report provided an overview of the Council's responsibilities in respect of fraud prevention, detection and action and the progress made to deliver the Council's Counter Fraud Strategy 2015 including an update on improvement actions to refine the arrangements to tackling fraud at the Council and the Annual Fraud Report 2015/16. The report explained that during 2015 the Council refreshed its approach to tackling fraud with a refocus on prevention and detection using fraud risk assessment at its core. There was a 3-year counter fraud strategy and associated improvement plan to embed anti-fraud culture across the Council, taking account of reducing resources. The current position of improvement actions arising from that review were shown in Appendix 1 to the report. The current requirement for reporting frauds and irregularities to Audit Scotland was the reporting of all frauds and irregularities greater than £5,000 where frauds had been perpetrated due to weaknesses in internal controls. There were no frauds greater than £5,000 during 2015/16. Though these are an important performance indicator of how effective the Council's fraud prevention and detection measures were, the Annual Fraud Report to the Audit and Risk Committee included all known frauds. In response to a question the Chief Officer Audit and Risk explained that the 'red' grading from KPMG in June 2015, which was given in the Annual Audit Report 2014/15 on behalf of Audit Scotland, in relation to the Council's participation in the National Fraud Initiative (NFI), was due to a capacity issue within the Council which resulted in no match investigation work having been started. Mr Swann, of KPMG, confirmed that during 2015/16 significant work had been carried out and that the Council's overall participation had been assessed as 'green' (satisfactory) in February 2016, which was given in the Interim Management Report 2015/16. The Chief Officer Audit and Risk advised she would continue to engage with Audit Scotland in respect of this NFI work. In response to further questions Members were advised of the most vulnerable areas for fraud.. In summary the Chairman indicated that the Committee would be concerned to look at any trends if these were to develop.

DECISION

NOTED:-

- (a) **the counter fraud work undertaken to deliver the Council's Counter Fraud Strategy 2015; and**
- (b) **the content of the Annual Fraud Report 2015/16.**

5. **AUDIT AND RISK COMMITTEE ANNUAL REPORT 2015/16 AND ANNUAL SELF EVALUATION.**

With reference to paragraph 5 of the Minute of 30 June 2015, there had been circulated copies of a report by the Chief Officer Audit and Risk seeking approval of the Audit and Risk Committee Annual Report 2015/16, incorporating its annual self-assessment using the CIPFA Audit Committees Guidance. The Audit and Risk Committee Annual Report 2015/16 was appended as Appendix 1 to the report. The Committee carried out self-assessments of Compliance with the Good Practice Principles Checklist and Evaluation of Effectiveness Toolkit from the CIPFA Audit Committees Guidance during the Informal Session on 9 May 2016, facilitated by the Chief Officer Audit & Risk. The self-assessments were appended to the report as Appendix 2 (Good Practice Principles) and Appendix 3 (Effectiveness) for consideration. The outcome of the self-assessments was a

high degree of performance against the good practice principles though some areas of improvement were identified to enhance the effectiveness of the Committee. Members discussed the report and agreed that the tables detailed in Appendices 2 and 3 accurately represented the results of the self-assessment exercise completed on 9 May 2016.

DECISION

- (a) **APPROVED the Audit and Risk Committee Annual Report 2015/16 (Appendix 1 to the report) which incorporated its self-assessments (Appendices 2 and 3 to the report), using the CIPFA Audit Committees Guidance; and**
- (b) **AGREED to present the Audit and Risk Committee Annual Report 2015/16 to Council on 25 August 2016 and then publish it on the Council's website.**

6. FINANCIAL REPORTING & SCRUTINY: WHY THE ACCOUNTS MATTER.

There had been circulated for information copies of the Audit Scotland publication entitled 'Financial Reporting and Scrutiny: Why the Accounts Matter'. The document outlined the role of financial reporting, emphasising that effective planning, management and scrutiny of the use of public funds were a key part of a local authority's responsibility. The document outlined the role of the s95 officer, Elected Members and Auditor in the accounts process. With regard to developments in financial reporting in 2014/15 and the challenge faced by Councils to produce the accounts to tighter timescales external auditors had said that Councils generally met this challenge well. They also commented on some areas for improvement. In light of the key messages a list of questions were compiled and presented in an Appendix to the paper which were for Elected Members to consider as part of the accounts scrutiny and approval process. The expectation was that Audit and Risk Committee Members could use the questions in considering the accounts and annual audit report at their meetings. Members agreed that the publication was useful as a reference document for future use.

DECISION NOTED

7. SCOTTISH BORDERS COUNCIL DRAFT REPORTS AND ACCOUNTS 2015/16.

- 7.1 There had been circulated copies of reports by the Chief Financial Officer on the draft Annual Reports and Accounts for Scottish Borders Council, Common Good Funds and Charitable Trusts, and Bridge Homes LLP. The report provided the Audit and Risk Committee with an opportunity to scrutinise the draft Annual Reports and Accounts 2015/16 for Scottish Borders Council and associated Group Accounts prior to submission for External Audit Inspection by the statutory deadline of 30 June 2016. A summary of the draft Annual Reports and Accounts was given at the meeting by the Chief Financial Officer, David Robertson. Handouts were also provided to draw attention to the key highlights. Mr Robertson referred to the protocols and timeline associated with the overview of accounts as set out in the Local Authority Accounts (Scotland) Regulations 2014. This indicated that, following audit and a public inspection period the finalised Audit report and Audited Accounts would be presented to the Audit and Risk Committee for approval on 26 September 2016 before going to Council on 29 September 2016 and subsequent publication.
- 7.2 The draft Annual Report and Accounts 2015/16 for Scottish Borders Council was attached as Appendix 1 to the report. Members were advised that the revenue out-turn from Departmental Activity showed £1.284m underspend which would return to Reserves. Savings achieved of £7.8m represented 85% on a permanent basis indicating that the Council was on track to deliver the savings required. An analysis of the sources of revenue funding and revenue expenditure by Department was provided. With regard to Significant Trading Operations it was noted that SBc Contracts had achieved a cumulative net surplus over 3 years of £1.510m. Mr Robertson explained that in 2015/16 46.6% of total turnover was generated by external work which was 38% down on the previous year,

when a number of significant projects connected to the Borders Railway were completed. The best operating model for SBc Contracts was being looked at as part of the Roads Review currently being carried out. Mr Robertson's summary went on to refer to key changes within the General Fund balances and he answered questions in relation to these. The Balance sheet showed that the net assets of the Council excluding Pensions Liabilities were £208.5m at 31 March 2016. Including Pensions Liabilities the figure was £66m showing an increase of £48.6m from the previous year. Included in the current liabilities was a provision of £4m for decommissioning of the landfill sites. With regard to the 2015/16 capital outturns there had been a total expenditure of £45m with timing movement of £2.2m and underspend of £0.8m. In concluding discussion on the Scottish Borders Council Annual Report and Accounts the Chairman complemented officers on the clear presentation of the Report and Accounts and the way in which these were linked to performance-related information.

- 7.3 Mr Robertson went on to highlight key points within the Group Accounts. Senior Finance Officer, John Yallop, was also in attendance to answer questions. Attached as Appendices to the report were the 2015/16 draft Reports and Accounts for the SBC Common Good Funds; Education Trust; Welfare Trust; Community Enhancement Trust; 77 Charity Funds; Ormiston Trust; Thomas Howden Wildlife Trust; and 174 non-registered trusts. Mr Yallop explained that work was ongoing to attempt to amalgamate the 174 non-registered trusts although some were geographically restricted. With regard to the nine Common Good Funds total net assets were £13.9m (£11.0m fixed assets). Also circulated were the unaudited annual report and financial statements for Bridge Homes LLP for the year ended 31 March 2016. Property value of £2.7m (23 units) was funded by £2.3m SBC loan and £0.4m Affordable Housing contribution. There had been a small 2nd year trading loss of £0.008m. Members discussed the accounts and received clarification from officers where requested.

DECISION

- (a) **NOTED the Draft Annual Report and Accounts 2015/16 for Scottish Borders Council and associated Group Accounts; and**
- (b) **AGREED to support their submission for review by the External Auditors.**

7.4 **Draft SB Cares Annual Report and Accounts 2015/16**

There had also been circulated copies of a report by SB Cares Finance and Commercial Director on the Reports and Accounts for Scottish Borders Supports LLP and Scottish Borders Cares LLP. The Finance and Commercial Director, Debbie Collins, was in attendance to present the report and answer questions. The report explained that the External Auditors KPMG carried out the audit of SB Cares accounts in June 2016 to provide support to the new organisation, launched on 1 April 2015, to compile its first set of draft reports and accounts. Minor recommended changes by KPMG had been incorporated in the reports being provided for scrutiny by the Audit and Risk Committee. A final review of the Report and Annual accounts would be completed by KPMG in August 2016 where any final adjustments would be agreed before signed accounts were submitted to Scottish Borders Council. The Reports and Accounts for Scottish Borders Supports LLP and Scottish Borders Cares LLP were attached to the covering report as Appendices 1 and 2 respectively. In the period ended 31 March 2016 SB Supports LLP generated a loss of £25k. Overall SB Supports performed as expected for its first year of trading in being able to deliver a contribution to Scottish Borders Council of £480k. SB Cares had generated a loss of £1.294m. Ms Collins confirmed that this loss was connected to pension liability which was guaranteed by Scottish Borders Council. Overall SB Cares LLP had performed as expected for its first year of trading, delivering services through its contract with SB Supports LLP.

DECISION

NOTED:-

- (a) **the Draft Annual Report and Accounts 2015/16 for SB Cares LLP; and**
- (b) **that External Auditors had completed an initial audit of SB Cares Annual Report and Accounts.**

8. **PENSION FUND ANNUAL REPORT AND ACCOUNTS 2015/16.**

There had been circulated copies of a report by the Chief Financial Officer providing an opportunity for the Audit and Risk Committee to scrutinise the draft Scottish Borders Council Pension Fund Annual Report and Accounts for the year ended 31 March 2016 prior to its submission to the External Auditors. The list of elements that must be contained within the Annual Report and Accounts, according to the Local Government Pension Scheme Amendment (Scotland) Regulations was provided within the report. The Report and Accounts, which met these requirements, was attached as an Appendix to the report. Following Audit sign-off the final Report and Accounts would be circulated to the joint Pension Fund Committee and Board. The Annual Report would also be made available for public inspection for a 3 week period commencing 30 June 2016. Councillor White, Chairman of the Pension Fund Committee, highlighted the main points of the Report. He confirmed that the new governance arrangements which commenced from 1 April 2015 had settled in and that joint meetings of the Committee and Board had been productive and informative due to the positive engagement of all members. Also during the past year the Procurement Sub Group had been fully engaged in the key procurement of a new Investment Advisor. Despite the level of volatility across markets during 2015 the Fund had managed to remain broadly at the 31 March 2015 level with only a small decrease of £2.8m. The overall performance of the Fund was 7.1% based on a 3 year rolling average basis, outperforming the benchmark and the local authority weighted average return over the period.

DECISION

- (a) **NOTED the Draft Annual Report and Accounts 2015/16 for Scottish Borders Council Pension Fund; and**
- (b) **AGREED to support its submission for review by the External Auditors.**

MEMBERS

Due to a commitment to attend another meeting Councillors Gillespie, Nicol and White left the meeting leaving the Committee without a quorum. Discussion continued on an informal basis, about the first year of operation of SB Cares, between the remaining members and officers until the Chairman closed the meeting.

The meeting concluded at 1.05 pm

SCOTTISH BORDERS COUNCIL
JEDBURGH COMMON GOOD SUB-COMMITTEE

MINUTE of MEETING of the JEDBURGH
COMMON GOOD FUND SUB-COMMITTEE
held in Committee Room 3, Council
Headquarters, Newtown St Boswells on 29
June 2016 at 9 a.m.

Present:- Councillors J. Brown, R. Stewart.
Apologies:- Councillor S. Scott, Community Councillor Mr. H. Wight.
In Attendance:- Senior Finance Officer (John Yallop), Solicitor (Karen Scrymgeour), Democratic
Services Officer (F. Henderson).
Members of the Public:- 0.

**DISCHARGE AND GRANT OF NEW STANDARD SECURITY AT 15 ABBEY PLACE,
JEDBURGH**

1. With reference to paragraph 3 of the Minute of 1 June 2016, there had been circulated copies of a report by the Service Director Regulatory Services on the Discharge and Grant of New Standard Security at 15 Abbey Place, Jedburgh. The report explained that the purpose of the report was to advise the Jedburgh Common Good (JCG) of the implications of discharging the Jedburgh Community Trust (JCT) standard security relating to 15 Abbey Place, Jedburgh and the granting of a new standard security by the Jed Shed in relation to the loan for 15 Abbey Place. The report also advised on the possible consequences for the JCG if the Jed Shed ceased trading after transfer of the loan. The report explained that Jedburgh Common Good had provided a loan to the Jed Shed in 2014 to assist, with the start-up costs of their project. The project had been very successful and the group had outgrown their premises and were looking to purchase the premises known as 15 Abbey Place, Jedburgh, being the former Band Hall premises which were owned by Jedburgh Community Trust. There was a standard security over 15 Abbey Place, which was granted in favour of the Scottish Borders Council (SBC) acting as trustees for the JCG by the JCT in 2003 in consideration for the payment by the JCG to the JCT of a loan of £15,000. It had been suggested that the loan in favour of the JCT could be transferred to the Jed Shed and the JCG required to decide whether it was agreeable to the transfer of the loan. In order to secure the transferred loan, on the sale of the property, the existing standard security by JCT would be discharged by JCG and a replacement security granted by the Jed Shed. The Jed Shed had recently established itself as a Scottish Charitable Incorporated Organisation (SCIO). Concerns had been raised as to what would occur if and when the Jed Shed ceased trading and the report advised that a SCIO could only cease to exist if it was removed from the Scottish Charity Register (the Register), which could only be done if the SCIO was dissolving. Following discussion, the Sub-Committee thanked the Officers for their work in preparing the report and agreed that in the event of the submission of a formal application from the Jed Shed to the JCG for the transfer of the existing loan in favour of JCT, the Committee would satisfy itself as to the financial standing of the application.

DECISION

- (a) **NOTED the process for discharging and granting standard securities as detailed in the report.**
- (b) **AGREED that;-**
 - (i) **in the event of the submission of a formal application from the Jed Shed to the JCG for the transfer of the existing loan in favour of JCT, the Committee satisfy itself as to the financial standing of the applicant;**

- (ii) **if the JCG then approved such application, the JCG should discharge the existing security over 15 Abbey Place, subject to receipt by JCG of a valid first rank.**

APPLICATION FOR FINANCIAL ASSISTANCE

Jethart Callant's Festival

2. There had been circulated copies of an Application for Financial Assistance from the Jethart Callant's Festival for a grant of £5,000 towards the costs of the 2016 Festival. The application, which was submitted on an annual basis, advised that the festival covered a 3 week period of horse rideouts, ceremonial events and public entertainment for all ages – dances, family days, swimming gala, bike run etc. It was acknowledged that the Festival brought the townspeople together and generated considerable income for the town trades while attracting visitors to the town. Following general discussion, the Sub-Committee agreed to award the grant of £5,000

DECISION

AGREED to award a grant of £5,000 to the Jethart Callant's Festival for 2016.

The meeting closed at 9.15 a.m.

SCOTTISH BORDERS COUNCIL
PEEBLES COMMON GOOD FUND SUB-COMMITTEE

MINUTE of MEETING of the PEEBLES
COMMON GOOD FUND SUB-COMMITTEE
held in the Council Chamber, Council Offices,
Rosetta Road, Peebles 29 June 2016 at 2.30
p.m.

Present:- Councillors G. Garvie (Chairman), C. Bhatia, K. Cockburn.
Community Councillor L Hayworth.
Apologies:- Councillors W. Archibald, S. Bell, G. Logan.
In Attendance:- Senior Finance Officer (J. Yallop), Managing Solicitor - Property and
Licensing (R. Kirk), Estates Officer (J. Morison), Estates Surveyor (A.
Graham), Democratic Services Officer (K. Mason).

Members of the Public:- 1.

1. APPOINTMENT OF CHAIRMAN

In the absence of Councillor Archibald, Councillor Garvie chaired the meeting.

2. MINUTE

The Minute of Meeting of Peebles Common Good Fund Sub-Committee of 25 May 2016 had been circulated.

**DECISION
APPROVED.**

3. APPLICATIONS FOR FINANCIAL ASSISTANCE

DECLARATION OF INTEREST

Community Councillor L. Hayward declared an interest in the following application.

(a) Peebles Community Trust

With reference to paragraph 7(a) of the Minute of 25 May 2016, there had been recirculated copies of an application for financial assistance from Peebles Community Trust in the sum of £1,500 to instruct a specialist lawyer to draw up revised Articles of Association for the Trust, which would enable them to undertake a Community Right to Buy bid for land or buildings, or to accept the transfer of an asset. In order to do this, the trust needed to have Articles of Association which were compliant with the recently adopted Community Empowerment (Scotland) Act. The Peebles Community Trust had provided up-to-date information in relation to their accounts. Mr David Pye, of the Peebles Community Trust was present he answered Members' questions and explained that revised Articles of Association had to be drawn up to meet new Scottish Government Legislation. Members were minded to grant the application and asked that Mr Pye or a representative of Peebles Community Trust attend a meeting of the Peebles Common Good Fund Sub-Committee in 12 months' time to give an update on the work of the Trust

**DECISION
AGREED**

(a) to grant Peebles Community Trust the sum of £1,500; and

(b) that Mr Pye or a representative of Peebles Community Trust attend a meeting of the Peebles Common Good Fund Sub-Committee in 12 months' time to give an update on the work of the Trust.

(b) Bonnie Peebles

There had been circulated copies of an application for financial assistance from Bonnie Peebles in the sum of £10,000 towards the cost of their Scott Brash Sculpture to commemorate his tremendous achievements as a world class showjumper. Mr S Wightman, Bonnie Peebles, was present. He confirmed that Mr S Winyard, Stobo Castle Health Spa had pledged £10,000 towards the statue. He explained that the quotation was the minimum price and if more funding was available Bonnie Peebles would be in a position to request that the sculptor provide another quotation for a more substantial sculpture. Members agreed that the application be continued to the next meeting to allow Bonnie Peebles to have further discussions with the sculptor and report on a revised estimate and details of the funding gap.

DECISION

AGREED to defer consideration of the application from Bonnie Peebles until the next meeting, when a revised quotation would be available together with details of the funding gap.

4. PEEBLES LAWN TENNIS CLUB, SPRINGHILL ROAD, PEEBLES

With reference to paragraph 8 of the Minute of Meeting of 25 May 2016, there had been re-circulated copies of a report by the Service Director Assets and Infrastructure on the current lease with Peebles Tennis Club seeking approval for a new lease and to carry out tree works at the tennis courts. A Briefing Note from the Estates Officer had been circulated advising that Peebles Tennis Club had provided copies of their accounts for the last three years and in summary they had approximately £23,000 in the bank on 22 October 2015 and had made a surplus of £4,118 in 2015. The current lease to Peebles Tennis Club was rent free and the Estates Manager understood the previous leases were also rent free. Prior to 2012 the tennis courts had been classed as a Council asset rather than a Common Good asset. All other Scottish Borders tennis clubs who had leases from the Council were rent free. Selkirk Tennis Club was in the process of changing from a rent paying lease to a rent free lease because the responsibilities for repairs and maintenance were transferring from the Council to the tennis club. Out of other sports clubs in the Borders who had leases from the Council, it was usually football or rugby clubs which paid a rent and these rents were approximately £200 per annum. The exception was when a sports club had a licence to sell alcohol in their clubhouse where the rent was around £1,000 per annum.

DECISION

AGREED

- (a) to authorise the granting of a new 25 year lease to Peebles Tennis Club on terms to be agreed with the Estates Officer which would include a rent of £1 if asked; and**
- (b) to give consent to the Club to carry out works to the trees around the tennis courts.**

5. PRIVATE BUSINESS

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business contained in the following item on the ground that it involved the likely disclosure of exempt information as defined in paragraph 6 of the part 1 of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

6. MINUTE

The Committee approved the Private Minute of the meeting of 25 May 2016.

The meeting concluded at 3.00 p.m.

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SCOTTISH BORDERS COUNCIL LOCAL REVIEW BODY

MINUTE of Meeting of the LOCAL REVIEW BODY held in the Council Chamber, Council Headquarters, Newtown St Boswells, TD6 0SA on Monday, 18 July, 2016 at 11.00 am

Present:- Councillors R. Smith (Chairman), J. Brown (Vice-Chairman), J. Campbell, J. A. Fullarton, D. Moffat, S. Mountford and B White

Apologies:- Councillors M. Ballantyne and I. Gillespie

In Attendance:- Planning Policy and Access Manager, Solicitor (G. Nelson), Democratic Services Officers (F. Walling and F. Henderson).

1. **DECLARATION OF INTEREST**

In terms of Section 5 of the Councillors Code of Conduct, Councillor Smith declared an interest in Item 4 of the agenda (application 15/01552/FUL) and left the meeting during the consideration of this review.

CHAIRMAN

Councillor Brown chaired the meeting for the review of application 15/01552/FUL considered in the following paragraph.

2. **REVIEW OF 15/01552/FUL**

There had been circulated copies of the request from Mr & Mrs N. Ewart, per Ericht Planning & Property Consultants, to review the decision to refuse the planning application in respect of the erection of two dwellinghouses on land south of the Primary School, West End, Denholm. Included in the supporting papers were the Notice of Review; Decision Notice; officer's report; consultations; general comment and objections; additional representation and response; and a list of relevant policies. With regard to the history of the site, the Local Review Body noted that a number of applications for housing had been refused in the past but that the last refusal had been in 2007. They also noted that the proposal was within both the settlement boundary of Denholm and the Denholm Conservation Area but that there was no specific reference to the site within the Conservation Area statement. Members' discussion focused on the contribution of the proposed site to the sense of place of Denholm, the appearance and slope of the field in which the site was located and the impact of the proposal to the entry point to the village. In this respect Members also discussed the design of the proposed houses and opinion was divided about whether the design was appropriate for this location.

VOTE

Councillor Fullarton, seconded by Councillor Campbell, moved that the decision to refuse the application be upheld.

Councillor Moffat, seconded by Councillor Mountford, moved as an amendment that the decision to refuse the application be reversed and the application approved.

On a show of hands Members voted as follows:-

Motion - 3 votes
Amendment - 3 votes

The Chairman used his casting vote in favour of the amendment which was accordingly carried.

DECISION

AGREED that:-

- (a) the request for a review had been competently made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997;**
- (b) the review could be considered without the need for any further procedure on the basis of the papers submitted;**
- (c) the development was consistent with the development plan; and**
- (d) the decision of the appointed officer to refuse the application be reversed and the application for planning permission be granted, subject to conditions, informatives and a legal agreement, for the reasons given in Appendix I to this Minute.**

CHAIRMAN

Councillor Smith resumed his position as Chairman for the remainder of the meeting.

3. REVIEW OF 16/00233/FUL

There had been circulated copies of the request from Ms Martha Gibson, 13, Bridge End, Innerleithen, to review the decision to refuse the planning application in respect of external re-decoration (retrospective) of Shop 1, Leithen Road, Innerleithen. The supporting papers included the Notice of Review including the Decision Notice; officer's report; photographs; consultation; objection; support comment; and a list of relevant policies. Members discussed the impact of the colour with which the shop had been painted in respect of the Innerleithen Conservation Area and also took account of its contribution to the marketing of the shop. Whilst they recognised that the acceptability of the colour choice was to some extent a matter of taste they concluded that it was not an appropriate colour in terms of the character and appearance of the conservation area.

DECISION

AGREED that:-

- (a) the request for a review had been competently made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997;**
- (b) the review could be considered without the need for any further procedure on the basis of the papers submitted;**
- (d) the proposal would be contrary to the Development Plan and that there were no other material considerations that would justify departure from the Development Plan; and**
- (e) the officer's decision to refuse the application be upheld for the reasons detailed in Appendix II to this Minute.**

4. REVIEW OF 15/01521/PPP

There had been circulated copies of the request from Lothian Estates, per Clarendon Planning & Development Ltd, 5a Castle Terrace, Edinburgh, to review the decision to refuse the planning application in respect of erection of three dwellinghouses on land north of Bonjedward Garage, Jedburgh. The supporting papers included the Notice of Review which included the Decision Notice, officer's report and consultation responses from Roads and Landscape Architect; other consultation responses; and a list of relevant

policies. Members' initial discussion focused on whether the proposal formed part of the building group at Bonjedward, as suggested by the appellant. In this respect Members' opinion was divided.

VOTE

Councillor Mountford, seconded by Councillor Fullarton, moved that the proposal did form part of the Bonjedward building group.

Councillor Smith, seconded by Councillor Moffat, moved as an amendment that, due to the development site being contained by three roads, the proposal did not form part of the a building group.

On a show of hands Members voted as follows:-

Motion - 2 votes
Amendment - 5 votes

The amendment was accordingly carried.

Having decided, by majority, that the proposal did not form part of a building group, Members went on to conclude, after further detailed discussion that there were no exceptional grounds to justify houses being built on the site in question.

DECISION

AGREED that:-

- (a) the request for a review had been competently made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997;**
- (b) the review could be considered without the need for any further procedure on the basis of the papers submitted;**
- (c) the proposal would be contrary to the Development Plan and that there were no other material considerations that would justify departure from the Development Plan; and**
- (d) the officer's decision to refuse the application be upheld for the reasons detailed in Appendix III to this Minute.**

5. CONTINUE CONSIDERATION OF REVIEW OF 15/01484/FUL

With reference to paragraph 3 of the Minute of 16 May 2016, Members were informed that the applicant had requested further deferral of consideration of this case as he had been unable to supply a sample of the uPVC window frame and stick-on glazing bars in time for the meeting.

DECISION

AGREED:-

- (a) to defer consideration of the review to the Local Review Body meeting of 19 September 2016, for which meeting the applicant would be asked to provide a sample of the uPVC window frame and stick-on glazing bars for examination; and**
- (b) that the applicant be advised that consideration of this review would be continued at that meeting on 19 September 2016 whether or not the requested sample was provided.**

6. **CONTINUE CONSIDERATION OF REVIEW OF 15/00769/FUL**

With reference to paragraph 1 of the Minute of 14 March 2016, there had been circulated copies of a Business Plan prepared by SAC Consulting on behalf of the appellant Mr Kerr Renwick and letters from Mr Kerr Renwick and Mr Walter Renwick. Also circulated was a response to the Business Plan by the Economic Development section. With reference to this additional information and the papers provided for the meeting of 14 March 2016 Members continued consideration of this case. Members discussed the detail provided within the Business Plan and noted that the Economic Development section had considered the plan to be viable. The Local Review Body concluded that an economic case had been made which could justify a house on this site at Camphouse Farm. Members' discussion then returned to the design and suitability of the existing temporary structure which was the subject of the retrospective application and noted that it had yet to go through the building standards process. Members concluded that they would allow the structure on a temporary basis for a maximum period of 4 years, subject to conditions, to allow the applicant to develop the business in line with the business plan and to bring forward proposals for an appropriate dwelling. It was confirmed that any future application for a permanent dwelling would require to be justified in terms of Housing in the Countryside and Quality Standards policies.

DECISION

AGREED that:-

- (a) **the review could be determined without further procedure on the basis of the papers submitted and the additional written submissions provided;**
- (b) **the development was contrary to the Development Plan but that there were other material factors which justified departure from the Development Plan; and**
- (c) **the decision of the appointed officer to refuse the application be reversed and the application for planning permission be granted on a temporary basis for up to a maximum of 4 years, subject to conditions and an informative, as detailed in Appendix IV to this Minute.**

The meeting concluded at 12.55 pm



APPENDIX I

**SCOTTISH BORDERS COUNCIL
LOCAL REVIEW BODY INTENTIONS NOTICE**

**APPEAL UNDER SECTION 43A (8) OF THE TOWN AND COUNTRY PLANNING
(SCOTLAND) ACT 1997**

**THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL
REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2013**

Local Review Reference: 16/00012/RREF

Planning Application Reference: 15/01552/FUL

Development Proposal: Erection of 2 dwellinghouses

Location: Land south of Primary School, West End, Denholm

Applicant: Mr and Mrs N Ewart

DECISION

The Local Review Body reverses the decision of the appointed planning officer and gives notice that it intends to grant planning permission subject to conditions and the conclusion of a legal agreement as set out in this intentions notice.

DEVELOPMENT PROPOSAL

The application relates to the erection of 2 dwellinghouses on land to the south of the Primary School, West End, Denholm. The application consisted of the following drawings:

Plan Type	Plan Reference No.
Location Plan	OS Extract
Site Plan	MM3017/1
Floor Plans	MM3017/2
Elevations	MM3017/3

PRELIMINARY MATTERS

The Local Review Body considered at its meeting on 18th July 2016 that the Review had been competently made under section 43A (8) of the Town & Country Planning (Scotland) Act 1997.

After examining the review documentation at that meeting, which included: a) Notice of Review; b) decision notice; c) Officer's Report; d) Consultations; e) general comment and objections; f) additional representation and response; and, g) list of policies, the LRB concluded that it had sufficient information to determine the review and proceeded to consider the case.

REASONING

The determining issues in this Review were:

- (1) whether the proposal would be in keeping with the Development Plan, and
- (2) whether there were any material considerations which would justify departure from the Development Plan.

The Development Plan comprises: SESplan 2013 and the adopted Scottish Borders Local Development Plan (LDP) 2016. The LRB considered that the most relevant of the listed policies of the LDP 2016 were:

- Local Development Plan policies : PMD5 (Infill Development), EP11 (Protection of Greenspace), EP9 (Conservation Areas), PMD2 (Quality Standards)

Other key material considerations the Local Review Body took into account related to:

- Local Development Plan Policies: HD3 (Residential Amenity), IS7 (Parking Provision and Standards), IS9 (Waste Water Treatment standards and SUDS); IS2 (Developer Contributions)
- Scottish Borders Supplementary Planning Guidance: SPG on Placemaking and Design; SPG on Greenspace; SPG on Householder Development; SPG Development Contributions; SPG Affordable Housing
- PAN65 on Planning and Open Space
- Designing Streets
- Denholm Conservation Area Statement
- Local Plan Inquiry 2006/7 Reporter Decision on Site Proposal.

The Local Review Body noted the planning history of the site with a number of applications for housing having been refused over the last 25 years, but that the last refusal had been in 2007.

Members noted that the plans propose a traditional design of two linked dwellinghouses with a pend in between leading to a courtyard. The dwellinghouses are to be located on the lower portion of the sloping field. Access is to be taken from the Denholm Mill road, with parking facing the road at the front of the properties.

Members noted the proposed location of the new houses, their relationship with surrounding properties, the village, Denholm Mill, Dean Burn, the core path and the A698. Members noted that the proposal is located within the settlement boundary and the Denholm Conservation Area. Members noted there were third party objections and representations in connection with the application.

Members considered the Conservation Area statement in relation to the village and noted that there was no specific reference to the proposal site. Members also considered the nature of the greenspace provided by the site, and noted that it was not formally designated as green space.

Members debated the contribution of the field, in whole or in part, to the setting and sense of place of Denholm, and whether the new building would provide an acceptable entry point to the village. The Local Review Body concluded that while the field, as an entrance point to Denholm, did contribute to the village's setting and sense of place, that an acceptable entry point to the village could still be maintained with appropriately designed dwelling houses at the proposed location in the field.

Members debated the overall massing, design and finishing materials of the proposed house design and whether it would be acceptable within this location and the LRB concluded that it would be.

CONCLUSION

After considering all relevant information, the Local Review Body concluded that the development was acceptable in terms of the Development Plan.

DIRECTIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006

2. No development shall commence until all matters specified in conditions have, where required, been submitted to and approved in writing by the Planning Authority. Thereafter the development shall only take place except in strict accordance with the details so approved.

Reason: To achieve a satisfactory form of development, and to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

CONDITIONS

1. Access is to be provided further west to allow a greater distance from the A698. The access scheme and details are to be submitted and agreed in writing with the Council. The access must be constructed in advance of the commencement of construction of dwellings upon the site. The access scheme should be formed as per the following specification prior to the occupation of the first dwelling and in perpetuity:

- access to be a minimum of 5.5 metres wide and formed with 6 metre radii
- the first 5 metres of the access to be constructed to the following specification "75mm of 40mm single course bituminous layer binded with bituminous grit all to BS 4987 laid on 375mm of 100mm broken stone bottoming binded with sub base type 1".
- measures to prevent the flow of surface water onto the public road to be included in the design

Reason: To ensure a safe and appropriate access to the site

2. Public mains water and foul drainage connections to be provided by and confirmed with Scottish Water prior to the commencement of the site. Private water and foul drainage systems are not acceptable in this location.

Reason : To ensure adequate public service provision of the site

3. SUDS provision to be provided and maintained in perpetuity

Reason : To ensure adequate public service provision of the site

Informatives

1. Regarding any works required to the access it is not clear whether or not, or to what extent, the Applicants would have legal right to carry out such works. For their own reassurance, and in advance of construction, the Applicants are strongly advised to establish whether or not there would be any legal obstacle to carrying out the works to provide the access required.

2. There is a low potential for encountering buried archaeology during excavations. If buried features (e.g. walls, pits, post holes) or artefacts (e.g. pottery, ironwork, stone or bronze objects, beads) of potential antiquity are discovered please contact the council's Archaeology Officer for further discussions. Further investigation secured by the developer may be required if significant archaeology is discovered (as per PAN2 (2011) paragraph 31). In the event that human remains or artefacts are discovered, these should remain in situ pending investigation by the Archaeology Officer. Human remains must be reported immediately to the police. Artefacts may require reporting to Treasure Trove Scotland.

3. There is a core path adjacent to the site, and no part of the development (during construction and in perpetuity) should encroach upon the enjoyment of its use by the public.

Legal Agreements

The Local Review Body requires that a Section 75 Agreement, or other suitable legal agreement, be entered into regarding the payment of financial contributions towards educational facilities and affordable housing.

Notice Under Section 21 of the Town & Country Planning (Schemes of Delegation and Local Review procedure) (Scotland) Regulations 2008.

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.

Signed...Councillor J Brown
Chairman of the Local Review Body

Date...5 August 2016



APPENDIX II

**SCOTTISH BORDERS COUNCIL
LOCAL REVIEW BODY DECISION NOTICE**

**APPEAL UNDER SECTION 43A (8) OF THE TOWN AND COUNTRY PLANNING
(SCOTLAND) ACT 1997**

**THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND
LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2013**

Local Review Reference: 16/00014/RREF

Planning Application Reference: 16/00233/FUL

Development Proposal: External redecoration (retrospective) shop

Location: 1, Leithen Road, Innerleithen

Applicant: M Gibson

DECISION

The Local Review Body (LRB) endorses the decision of the appointed officer and agrees to refuse planning permission for the reasons set out in this decision notice on the following grounds:

The development would conflict with Policies (PMD2 Quality Standards) and EP9 (Conservation Areas) of the Scottish Borders Local Development Plan, and with adopted Supplementary Planning Guidance on Placemaking and Design, in that due to:

- the poor relationship of the chosen paint colour on the shopfront with the colours and tones of surrounding materials in conservation area buildings and structures; and
- the prominence of the shopfront in the conservation area and street scene due to its position at the end (focal point) of the High Street;

the inappropriate colour stands out as an incongruous and eye-catching item, harming both the character and the appearance of the conservation area, to the detriment of public amenity.

DEVELOPMENT PROPOSAL

The appeal is for retention of a paint scheme that has been applied to a shopfront, at 1 Leithen Road, Innerleithen. The application drawings consisted of the following drawings :

Plan Type	Plan Reference No.
Location Plan	A4

PRELIMINARY MATTERS

The Local Review Body considered at its meeting on 18th July 2016 that the Review had been made under section 43A (8) of the Town & Country Planning (Scotland) Act 1997.

After examining the review documentation at that meeting, which included: a) Notice of Review; b) Officer's Report; c) Photographs; d) Consultation; e) Objection; (f) Support Comment; and g) List of policies, the LRB concluded that it had sufficient information to determine the review and proceeded to consider the case.

REASONING

The determining issues in this Review were:

- (1) whether the proposal would be in keeping with the Development Plan, and
- (2) whether there were any material considerations which would justify departure from the Development Plan.

The Development Plan comprises: SESplan 2013 and the adopted Scottish Borders Local Development Plan (LDP) 2016. The LRB considered that the most relevant of the listed policies of the LDP 2016 were:

- Local Development Plan policies : PMD2 (Quality Standards) and EP9 (Conservation Areas)
- Supplementary Guidance on Placemaking and Design

Other material considerations were :

- Innerleithen Conservation Area Statement
- SPG Shop Fronts and Shop Signage

Members noted that the appeal is for retention of a paint scheme that has been applied to a shopfront, at 1 Leithen Road, Innerleithen. They noted that the property is not a listed building, and does not adjoin any listed buildings. They noted that the building is quite prominent in the Innerleithen Conservation Area, is a traditional building and is seen as a focal point when viewed looking east along the High Street. Members noted that the painted shopfront is a typical traditional timber type and the colour is a shade of mauve.

Members debated the impact of the colour in respect of the context of the Conservation area, and its contribution to the marketing of the shop. They considered its immediate and wider impact, including the vista along the High Street. They considered whether it met the requirements in terms of the quality standards set by policy and guidance on placemaking and design.

Members considered whether the applied colour could be viewed as having an historic precedence within the context of Innerleithen.

CONCLUSION

After considering all relevant information, the Local Review Body concluded that the development was contrary to the Development Plan and that there were no other material considerations that would justify departure from the Development Plan.

Notice Under Section 21 of the Town & Country Planning (Schemes of Delegation and Local Review procedure) (Scotland) Regulations 2008.

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.

Signed.....Councillor R Smith
Chairman of the Local Review Body

Date.....29 July 2016

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APPENDIX III

**SCOTTISH BORDERS COUNCIL
LOCAL REVIEW BODY DECISION NOTICE**

**APPEAL UNDER SECTION 43A (8) OF THE TOWN AND COUNTRY PLANNING
(SCOTLAND) ACT 1997**

**THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL
REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2013**

Local Review Reference: 16/00015/RREF

Planning Application Reference: 15/01521/PPP

Development Proposal: Erection of 3 dwellinghouses (in principle)

Location: Land north of Bonjedward Garage, Jedburgh

Applicant: Lothian Estates

DECISION

The Local Review Body (LRB) upholds the decision of the appointed officer and agrees to refuse planning permission for the reasons set out in this decision notice on the following grounds:

The proposal is contrary to Policy HD2: Housing in the Countryside of the Local Development Plan and Supplementary Planning Guidance on New Housing in the Borders Countryside 2008 in that the site is not within the recognised building group at Bonjedward and it does not relate well to this group and would therefore not be an appropriate extension to the existing pattern of development. The development would result in sporadic development within the countryside harming the character and appearance of the area.

The proposal is contrary to Policy HD3 of the Local Development Plan relating to the protection of residential amenity in that siting residential housing adjacent to industrial buildings and three main public roads would have a significant adverse impact on the residential amenity of occupiers of the proposed houses.

DEVELOPMENT PROPOSAL

The application relates to a proposal for Planning Permission in Principle for the erection of three dwellinghouses at Bonjedward. The application drawings consisted of the following drawings:

Plan Type	Plan Reference No.
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Location Plan	A4
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PRELIMINARY MATTERS

The Local Review Body considered at its meeting on 18th July 2016 that the Review had been made under section 43A (8) of the Town & Country Planning (Scotland) Act 1997.

After examining the review documentation at that meeting, which included: a) Notice of Review (and Decision Notice, Officer's Report, Roads consultation response, Landscape Architect consultation response); b) Other Consultations; and c) List of policies, the LRB concluded that it had sufficient information to determine the review and proceeded to consider the case.

REASONING

The determining issues in this Review were:

- (1) whether the proposal would be in keeping with the Development Plan, and
- (2) whether there were any material considerations which would justify departure from the Development Plan.

The Development Plan comprises: SESplan 2013 and the adopted Scottish Borders Local Development Plan (LDP) 2016. The LRB considered that the most relevant of the listed policies of the LDP 2016 were:

Local Development Plan policies:

- Policy HD2 Housing in the Countryside
- Policy HD3 Protection of Residential Amenity

Other material policy and guidance included

- Policy PMD4 Development outwith Development Boundaries
- Policy EP7 Listed Buildings
- Policy EP8 Archaeology
- Policy EP10 Gardens and Designed Landscapes
- Policy EP13 Trees, Woodlands and Hedgerows
- Policy IS2 Developer Contributions
- Policy IS7 Parking Provision and Standards
- Supplementary Planning Guidance on New Housing in the Borders Countryside 2008
- SPG Placemaking and Design

The Local Review Body noted that the applicant seeks Planning Permission in Principle for the erection of three dwellinghouses, indicatively shown as a terrace of three dwellings located to the right of the paddock, aligned with the A698 road to the north, and accessed from a new single drive leading from the A6090.

Members noted that the indicative layout depicts a single building line fronted by a communal drive, with subdivided gardens to rear (allocated by plot number) and extending across the entire greenfield site. An "Augmented" landscape edge is shown by a freehand green line on the north and west boundaries.

Members noted that the agent has highlighted "Bonjedward Building Group" which they define as the 11 dwellings, not including the Joiner's Cottages (two dwellings) to the north.

In the first instance members discussed the proposal in terms of Policy HD2, and whether the proposal forms part of a building group. Members considered the proposal in terms of the principles for housing in the countryside, the potential boundaries to the group particularly in relation to field boundaries and roads. The Review Body concluded that the proposal was separate to and did not form part of a building group.

Members went on to consider whether there was a case for housing on the site, notwithstanding it did not form part of the building group. They considered whether there was any specific reason to override the policy principle on housing in the countryside. They also considered the site in relation to the proximity of the garage, and in relation to the three roads that enclose the area to which the site belongs. Members noted that the Roads Planning Service could support the proposal in principle but discussed concerns in relation to the quality of life that would be available to residents if the site was to be developed. Members concluded that there was no specific justification to allow the proposal to be supported.

CONCLUSION

After considering all relevant information, the Local Review Body concluded that the development was contrary to the Development Plan and that there were no other material considerations that would justify departure from the Development Plan.

Notice Under Section 21 of the Town & Country Planning (Schemes of Delegation and Local Review procedure) (Scotland) Regulations 2008.

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.

Signed.....Councillor R Smith
Chairman of the Local Review Body

Date.....29 July 2016

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APPENDIX IV

**SCOTTISH BORDERS COUNCIL
LOCAL REVIEW BODY DECISION NOTICE**

**APPEAL UNDER SECTION 43A (8) OF THE TOWN AND COUNTRY PLANNING
(SCOTLAND) ACT 1997**

**THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL
REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2013**

Local Review Reference: 16/00003/RREF

Planning Application Reference: 15/00769/FUL

Development Proposal: Siting of Caravan for Permanent Residence (Retrospective)

Location: Land south of Camphouse Farmhouse, Camptown

Applicant: Kerr Renwick

DECISION

The Local Review Body reverses the decision of the appointed planning officer and gives notice that it intends to grant temporary planning permission subject to condition that the permission is for up to a maximum of four years and further conditions as set out in this notice.

DEVELOPMENT PROPOSAL

The applicant has applied for permanent residence in this caravan situated at Camphouse Farmhouse, Camptown. The application consisted of the following drawings:

Plan Type	Plan Reference No.
Location Plan	M4P-00434081
Block Plan	1
Elevations	2
Elevations	3
Elevations	4
Elevations	5
Floor Plans	6

PRELIMINARY MATTERS

The review was initially presented to the Local Review Body at its meeting on 14th March 2016. The Local Review Body considered that the Review had been competently made under section 43A (8) of the Town & Country Planning (Scotland) Act 1997.

After examining the review documentation at that meeting, which included: a) decision notice; b) Notice of Review; c) Officer's Report; d) Consultations, and e) List of Policies, the LRB concluded for the reasons below, that it did not have sufficient information to determine the review and that further procedure was required in the form of additional written submissions.

The Local Review Body reconvened to consider the appeal on 18th July 2016.

REASONING

The determining issues in this Review were:

- (1) whether the proposal would be in keeping with the Development Plan, and
- (2) whether there were any material considerations which would justify departure from the Development Plan.

The Development Plan comprises: SESplan 2013 and the adopted Scottish Borders Local Development Plan (LDP) 2016. The LRB considered that the most relevant of the listed policies of the LDP 2016 were:

Local Development Plan policies:

- HD2 (Housing in the Countryside)
- PMD2 (Quality Standards)

Other key material considerations the Local Review Body took into account related to:

- HD3 (Protection of Residential Amenity), IS2 (Developer Contributions), EP8 (Archaeology), IS7 (Parking Provision and Standards), IS9 (Waste Water Treatment Standards and SUDS).
- SPG on New Housing in the Borders Countryside, SPG on Placemaking and Design, SPG on Householder Developments.

Members noted that the property is a temporary structure situated to the north of the farm buildings at Camphouse Farm, Camptown. Members noted that the building is retrospective, and had yet to go through the building standards process.

Members noted that the applicant has applied for permanent residence in this building on the basis that he is farming Camphouse Farm holding for the first time since 2015, whilst another family member (who formerly farmed the holding) is residing in the attached farmhouse.

Members noted that the applicant has supported the application stating that applicant tends livestock, in the form of sheep husbandry, and requires to be on-site for 24 hour supervision. The farm size is approximately 154 acres, and the appellant states that the title to the farm is a business comprising three family members and an inventory of livestock has been

provided within a brief Business Plan. The applicant is also running a fencing contracting business from this site.

Members confirmed the site is not in the southern HMA where a more flexible dispersed building group policy would apply.

Members noted the building was 2 portacabins fitted together with external timber cladding. Members noted that the property does not comply with the Council's SPG on Placemaking and Design, and raised concerns on its suitability as a permanent residence.

The LRB noted that no application had been submitted for a building warrant. There were likely to be consequent issues to be addressed in terms of drainage, insulation and fire regulations. These matters would require to be dealt with separately via Building Control process should the LRB grant consent.

Members discussed the possibility of a site visit, but decided not to pursue the matter.

Members agreed there was no building group in the area and the application should therefore be judged on whether an economic/business need case had been made which could justify a house on site.

Members debated the proposal in the context of the proposed farming/contracting business, and whether there may be justification for a temporary permission.

The Local Review Body agreed that some information had been submitted by the applicant regarding a business venture, but considered it insufficient. The Local Review Body agreed to seek further written information in the form of a professionally prepared long term Business Plan for the whole of the farm, and confirmation of the ownership of the farm holding and the interests that other family members had in this.

At the reconvened meeting on 18th July 2016, members noted that a professional business plan had now been provided in relation to the proposed growth of the business, and that the economic development section considered it to be a viable plan. Members agreed that the business plan had the potential to be implemented by the applicant. The Local Review Body agreed that an economic/business need case had been made which could justify a house on the site.

Members discussed again their concerns that this was an inappropriate structure for a permanent dwelling, and whether it could be considered for a temporary permission. A temporary permission would allow the applicant to grow the business in line with the business plan, and also afford him time to put in place arrangements to bring forward a proposal for a house that complied with policy PMD2 on Quality Standards and Supplementary Planning Guidance on Placemaking and Design.

Members agreed that they could allow the structure on a temporary basis but on the strict understanding that this would be for a maximum of 4 years. Members also agreed that any future application for a permanent dwelling would require to be justified in terms of Policy HD2 (section F) which would require a reassessment of progress in relation to the business plan submitted, as well as policy PMD2 on Quality Standards, Supplementary Guidance on Placemaking and Design, and other relevant policies.

CONCLUSION

After considering all relevant information, the Local Review Body concluded on balance that the proposal was acceptable in terms of the Development Plan conditional to it being on a temporary basis for up to a maximum of 4 years.

CONDITIONS

1. The permission established by this decision notice will be for a maximum of 4 years from the date of this decision letter.

Reason: To ensure the proper planning of the area and to achieve a satisfactory form of development.

2. The temporary use hereby permitted shall be discontinued and the building removed on or before 10 August 2020 unless a further permission is obtained.

Reason: To enable the Local Planning Authority to review the matter at the end of a limited period.

3. Access to the site from the trunk road will be via the existing access. No new access will be permitted.

Reason: To minimise interference with the safety and free flow of the traffic on the trunk road.

Informative

1. The applicant is advised to be in immediate contact with the Council's Building Standards service and to make a building warrant application in relation to this temporary permission so that the property can be assessed with regards to construction, services, health and safety.

Notice Under Section 21 of the Town & Country Planning (Schemes of Delegation and Local Review procedure) (Scotland) Regulations 2008.

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.

Signed.....Councillor R Smith
Chairman of the Local Review Body

Date.....29 July 2016

SCOTTISH BORDERS COUNCIL
PLANNING AND BUILDING STANDARDS COMMITTEE

MINUTE of MEETING of the PLANNING
AND BUILDING STANDARDS COMMITTEE
held in the Council Headquarters, Newtown
St. Boswells on 18 July 2016 at 10.00 a.m.

Present: - Councillors R. Smith (Chairman), J. Brown, J. Campbell, J. Fullarton, D. Moffat,
S. Mountford, B. White.
Apologies:- Councillors M. Ballantyne, I. Gillespie.
In Attendance:- Lead Planning Officer, Solicitor (Graham Nelson), Principal Officer –
Enforcement, Environment, Democratic Services Officers (F Henderson and F.
Walling).

1. **APPLICATION**

There had been circulated copies of a report by the Service Director Regulatory Services on an application for planning permission requiring consideration by the Committee.

DECISION

DEALT with the application as detailed in Appendix I to this Minute.

2. **PRIVATE BUSINESS**

DECISION

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix II to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 8 of Part 1 of Schedule 7A to the aforementioned Act.

SUMMARY OF PRIVATE BUSINESS

DANGEROUS CHIMNEY - COLDSTREAM

3. The Committee considered of a report by the Chief Planning Officer which sought authority to carry out repair works to a chimney considered to be dangerous in Coldstream.

The meeting concluded at 10.55 a.m.

APPENDIX I

APPLICATIONS FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
15/00020/S36	Wind farm comprising 14 wind turbines, substation, control room, two temporary compounds, access tracks, four borrow pits and meteorological mast	Land at Whitelaw Brae 3km south of Tweedsmuir and west of Fruid Reservoir

DECISION: That the Council indicate to Scottish Government that it **maintains objections** to the application for a 14-turbine wind farm on the Whitelaw Brae site. The reasons for the objections are as follows:

Reason for Objection 1: Impact on Landscape Character:

The proposed development would be contrary to Policies PMD2, ED9 and EP5 of the Scottish Borders Local Development Plan 2016 and Policy 10 of the South-East Scotland Strategic Development Plan (SESplan) 2013 in that, taking into consideration the following factors, it would unacceptably harm the Borders landscape:

- Significant impacts on the perception, setting and qualities of identified wild land (Area 2 Talla Hart Fell) to the south and east of the site in an area with high fragility to change.
- Significant impacts on the designated Tweedsmuir Uplands Special Landscape Area and contrary to the management recommendations seeking to maintain wildness and limit impacts of tall developments, both in relation to the higher summits/wild land to the south and to the more localised intimate landscapes centred around the reservoirs to the east and north-east

Reason for Objection 2: Adverse Visual and Amenity Impacts:

The proposed development would be contrary to Policies PMD2, ED9, EP8 and HD3 of the Scottish Borders Local Development Plan 2016 and Policy 10 of the South-East Scotland Strategic Development Plan (SESplan) 2013 in that, taking into consideration the following factors, the development would give rise to unacceptable visual and amenity effects:

- Low containment within the 5km range and consequent significant visual impacts from sensitive receptors including public roads (such as the main tourist route of the A701 and the Fruid minor road), a right of way, hill summits and dwellinghouses. In respect of the identified residential receptors, the developer has failed to demonstrate that the impacts would not be overbearing and significantly adverse.
- Significant cumulative and scale impacts on sensitive receptors and on a unique landscape character type and capacity to the east of the A701 corridor, inappropriately extending the existing Clyde/Clyde Extension/Glenkerie cluster into previously undeveloped land, bridging a strong visual boundary between landscape character types and setting precedent for further inappropriate incursion.
- Significant detrimental impacts to two archaeological sites of national significance, Asset HA5 and the Scheduled Hawkshaw Castle.

Advisory Note:

Should the development be considered for approval, then conditions and the need for a Legal Agreement have been identified covering a number of different aspects including noise limits, roads matters, ecology and archaeology.

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SCOTTISH BORDERS COUNCIL
CIVIC GOVERNMENT LICENSING COMMITTEE

MINUTE of Meeting of the CIVIC
GOVERNMENT LICENSING COMMITTEE
held in COMMITTEE ROOMS 2 AND 3,
COUNCIL HEADQUARTERS, NEWTOWN
ST BOSWELLS on Friday, 22 July 2016 at
11.30 a.m.

Present:- Councillors W. Archibald (Chairman), J. Campbell, J. Greenwell, B. Herd,
D. Paterson, R. Stewart, B. White.
Apologies:- Councillors G. Logan, J. Torrance, T. Weatherston.
In Attendance:- Managing Solicitor – Property and Licensing, Licensing Officer (Alan Niven),
Licensing Standards and Enforcement Officers (Mr I. Tunnah and Mr M.
Wynne), Democratic Services Officer (F Henderson), P.C C. Lackenby,
Inspector M. Bennett - Police Scotland.

1. **MINUTE**

The Minute of the Meeting of 13 June 2016 had been circulated.

DECISION

APPROVED and signed by the Chairman.

2. **LICENCES ISSUED UNDER DELEGATED POWERS**

There had been circulated copies of lists detailing the Civic Government and
Miscellaneous Licences issued under delegated powers between 3 June – 12 July 2016.

DECISION

NOTED.

3. **PRIVATE BUSINESS**

DECISION

**AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to
exclude the public from the meeting during consideration of the business detailed
in the Appendix to this Minute on the grounds that they involved the likely
disclosure of exempt information as defined in paragraph 12 of part 1 of Schedule
7A to the Act.**

SUMMARY OF PRIVATE BUSINESS

ORDER OF BUSINESS

The Chairman varied the order of business as shown on the agenda and the Minute
reflects the order in which the items were considered at the meeting.

DECLARATION OF INTEREST

1. Councillor Paterson declared an interest in the following item of business in terms of
Section 5 of the Councillors Code of Conduct and left the Chamber during the discussion.

GRANT OF TAXI DRIVER LICENCE – DAVID RICHARDSON

2. The Committee considered an application from David Richardson for the grant of a Taxi
Driver Licence and agreed that the application be refused.

3. **CONTINUATION OF HEARING TO CONSIDER GRANT OF ITINERENT METAL
DEALER LICENCE – BRIAN HUNTER**

In the absence of Mr Hunter, The Committee agreed that the application be continued.

4. **HEARING TO CONSIDER GRANT OF ITINERENT METAL DEALER LICENCE –
NICOLA BROWN**

In the absence of Ms Brown, The Committee agreed that the application be continued.

HEARING TO CONSIDER RENEWAL OF METAL DEALER LICENCE – ALAN REDPATH

5. The Committee considered an application from Alan Redpath for the renewal of a Metal Dealer Licence and agreed that the application be granted.

HEARING TO CONSIDER SUSPENSION OF TAXI DRIVER LICENCE – BRUCE PARR

6. The Committee considered the suspension of the Taxi Driver Licence held by Mr Parr and agreed that the licence be suspended.

HEARING TO CONSIDER SUSPENSION OF TAXI DRIVER LICENCE – GEORGE BURRELL

7. The Committee considered a request for the suspension of the Taxi Driver Licence held by Mr Burrell and agreed that the licence not be suspended.

MINUTE

8. The Private section of the Minute of 13 June 2016 was approved.

The meeting concluded at 1.00 p.m.

SCOTTISH BORDERS COUNCIL LAUDER COMMON GOOD FUND SUB-COMMITTEE

MINUTES of Meeting of the LAUDER
COMMON GOOD FUND SUB-COMMITTEE
held in the Leader's Office, Council
Headquarters, Newtown St Boswells on
Tuesday, 2nd August, 2016 at 3.00 pm

Present:- Councillors D. Parker (Chairman), I. Gillespie and J. Torrance
Community Councillor A. Smith.
In Attendance:- Capital and Investment Manager (K Robb), Principal Solicitor (H MacLeod),
Estates Manager (N Hastie), Democratic Services Officer (P Bolson).

1. **MINUTE**

There had been circulated copies of the Minute of 7 June 2016.

DECISION

NOTED for signature by the Chairman.

2. **APPLICATION FOR FINANCIAL ASSISTANCE ON BEHALF OF LAUDER
COMMUNITY COUNCIL**

There had been circulated copies of an Application for Financial Assistance on behalf of Lauderdale Community Council. The Application explained that a Programme of events had been organised to celebrate the Queen's 90th Birthday in June 2016. This programme had been initiated at short notice and it was now acknowledged that budgeting and securing funds to cover all costs for the events had proved challenging. The total cost of the programme was £6,181.51 and funds raised through various other sources amounted to £5,152.28. This left a shortfall of £1,029.23 and Lauderdale Community Council was therefore requesting that Lauder Common Good Fund provide financial assistance to this amount. Discussion followed and Members discussed the circumstances leading up to the development of the celebration programme and the difficulties encountered when planning such events at short notice.

DECISION

AGREED that the application for financial assistance from the Lauder Common Good Fund submitted by Lauderdale Community Council be approved in the sum of £1,029.23.

3. **PROPERTY UPDATE: LAUDER GOLF CLUB**

There were circulated copies of a briefing note by the Council's Estates Section providing Members with information about the current situation in relation to the landscaping of Lauder golf course and the control of vermin on that site. Mr Hastie, Estates Manager was in attendance to provide additional explanation to Members. Lauder Golf Club agreed a new 25 year lease of the golf course in 2011 and under the terms of that lease, the Golf Club was responsible for the landscaping of the course and the control of vermin. This year the golf club had encountered problems with deer eating newly planted trees around the course and the club secretary had therefore requested permission to shoot the deer as a method of control. Mr Hastie explained that, although the golf club was responsible for controlling vermin, its committee wanted to ensure that Lauder Common Good Fund Sub-Committee had no objections to a planned and properly controlled cull of deer. Assurances had been given that any shooting of deer would be by an experienced, licenced deer stalker and would be carried out in a safe and responsible manner. The usual times for shooting deer were at dawn or dusk and this would be when the golf course was closed. Warning signs or notices would be displayed around the golf course

during the proposed shooting times. The proposed contractor was Mr McDaid who also provided the same service for the Forestry Commission. Mr Hastie informed Members that he expected to receive copies of Mr McDaid's certificates, licences and a method statement within a few days. Members were informed that a number of options such as high fencing and individual tree protection by fencing had either been considered and rejected by the golf club or tried but had been unsuccessful. Members went on to discuss relevant health and safety issues in respect of carrying out a cull and timelines for commencement of the exercise. Members subsequently indicated some concerns and requested further information about the number of trees at risk and the number of deer likely to be culled. It was agreed that a site visit be arranged to allow Members, golf club officials and the contractor, Mr McDaid to meet and discuss these matters further.

DECISION

AGREED that the Estates Manager arrange a site visit to allow Members, golf club officials and the contractor to meet and discuss these matters further.

4. FUTURE MEETINGS

Members noted that future meetings of Lauder Common Good Fund Sub-Committee would take place on Wednesday 28 September 2016 and 14 December 2016

The meeting concluded at 3.15 pm